

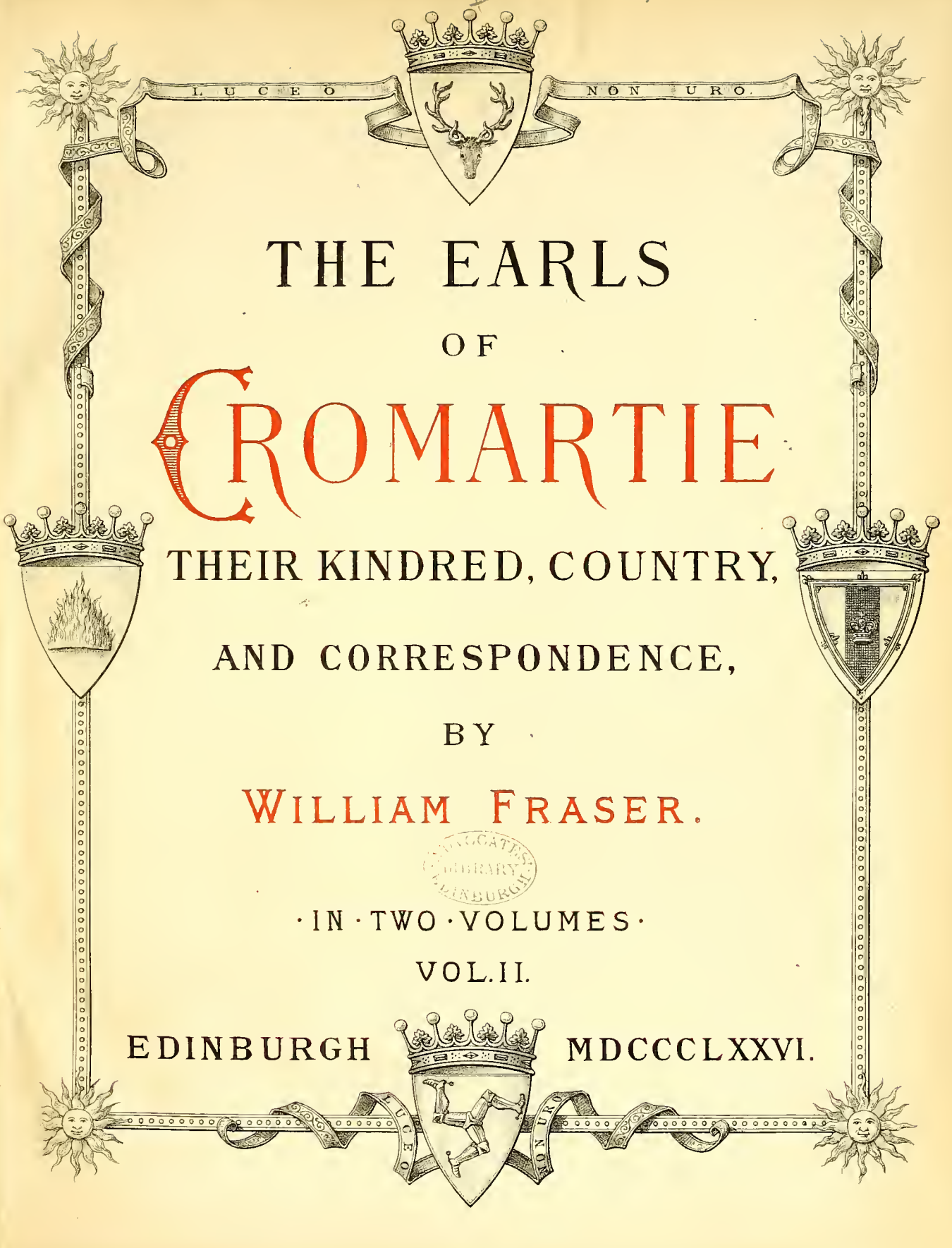


~~Hist. S. M. C.~~

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The book cover is framed by a decorative border. At the top center is a crest featuring a crown above a shield with a stag's head. A ribbon banner above this crest contains the Latin motto "LUCEO NON URO". The corners of the border are adorned with sun-like faces. On the left and right sides, there are vertical crests: the left one shows a crown above a shield with flames, and the right one shows a crown above a shield with a cross. At the bottom center is another crest with a crown above a shield depicting a figure in armor. A ribbon banner below this crest also contains the motto "LUCEO NON URO".

THE EARLS

OF

CROMARTIE

THEIR KINDRED, COUNTRY,

AND CORRESPONDENCE,

BY

WILLIAM FRASER.

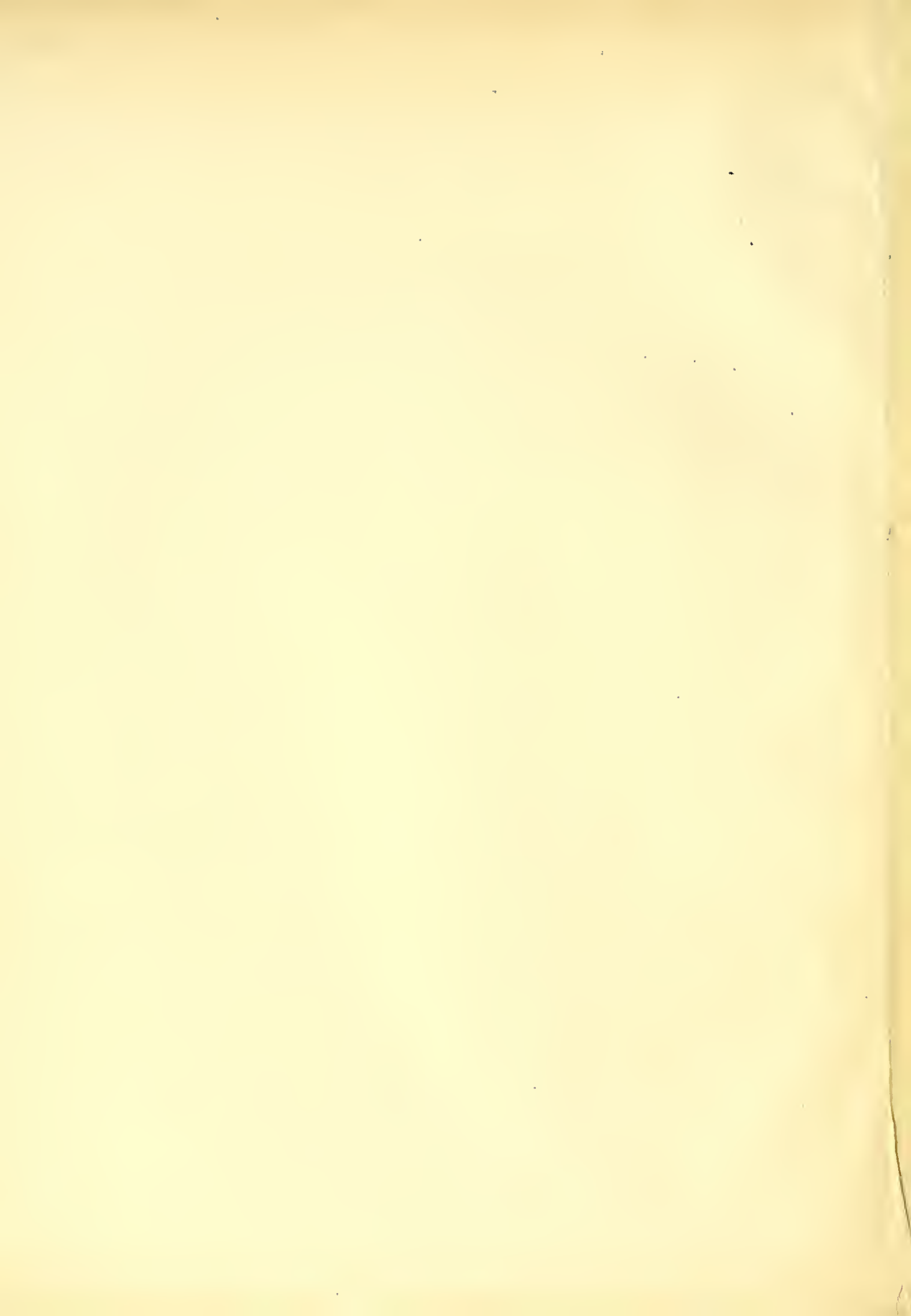


· IN · TWO · VOLUMES ·

VOL. II.

EDINBURGH

MDCCCLXXVI.



N.B. Letters printed here as to the Earl of Cromartie during the '15, are in fact letters to the Marquess of Tweeddale as Lord Lieutenant of East Lothian (vol ii, pp.159-160, 163-165). The anonymous letter, 8 November 1715 (pp.165-8) is from Haldane of Gleneagles. Ex inf Dr Paul Hopkins.



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Contents of Volume Second.

| | Page |
|--|---------|
| TITLE-PAGE, WITH ARMORIAL SHIELDS OF THE MACKENZIES AND MACLEODS. | |
| GENERAL TABLE OF CONTENTS. | |
| ABSTRACT OF THE CROMARTIE CORRESPONDENCE, CHARTERS, AND PATENTS IN VOLUME SECOND, . . . | i-xlvi |
| THE CROMARTIE CORRESPONDENCE FROM THE YEAR 1706 TO THE YEAR 1774—(<i>continued from Volume First</i>), . . . | 1-314 |
| THE CROMARTIE CHARTERS, 1257-1499, . . . | 315-347 |
| THE CROMARTIE PATENTS OF HONOUR, ETC., 1685-1861, . | 348-379 |
| NARRATIVE BY JOHN LORD MACLEOD, AFTERWARDS COUNT CROM- ARTIE IN SWEDEN, OF THE INSURRECTION IN SCOTLAND IN THE YEARS 1745-6, FROM ITS COMMENCEMENT TILL THE OPERATIONS BY HIS LORDSHIP IN SUTHERLAND AND CAITHNESS, . . . | 379-398 |
| NARRATIVE BY JOHN LORD MACLEOD OF HIS CAMPAIGN IN THE SEVEN YEARS' WAR IN GERMANY IN THE YEAR 1757, . . . | 399-411 |
| THE GRANDVALE AND CROMARTIE BRANCH— | |
| THE HONOURABLE SIR KENNETH MACKENZIE, second son of George, First Earl of Cromartie, 1658-1729, . . . | 412 |
| SIR GEORGE MACKENZIE, 1729-1748, . . . | 415 |
| SIR KENNETH MACKENZIE, 1748-1763, . . . | 419 |

CONTENTS OF VOLUME SECOND.

| | Page |
|---|---------|
| THE ROYSTON BRANCH— | |
| SIR JAMES MACKENZIE, LORD ROYSTON, 1671-1744, . . . | 420-424 |
| BARONIES AND CASTLES INHERITED AND ACQUIRED BY GEORGE FIRST EARL OF CROMARTIE, 1654-1714— | |
| THE BARONY, REGALITY, AND CASTLE OF TARBAT, . . . | 425-435 |
| CASTLE LEOD AND STRATHPEFFER, . . . | 436-439 |
| THE BARONY OF COIGEACH, IN LOCHBROOM, . . . | 440-442 |
| THE BARONY AND CASTLE OF CROMARTIE, . . . | 443-450 |
| THE BARONY AND MANSION OF ROYSTON, . . . | 451-457 |
| ANNEXATION OF THE BARONY OF TARBAT AND THE VISCOUNT OF TARBAT'S OTHER LANDS IN ROSS-SHIRE TO THE SHIRE OF CROMARTIE IN 1685 AND 1690, . . . | 458-461 |
| HISTORY OF THE FAMILY OF MACKENZIE, BY SIR GEORGE MACKENZIE, FIRST EARL OF CROMARTIE, . . . | 462-513 |
| COLLECTED SEALS OF THE MACKENZIE FAMILY, . . . | 514 |
| COLLECTED SIGNATURES OF THE MACKENZIE FAMILY, . . . | 517 |
| MONOGRAM OF ANNE DUCHESS OF SUTHERLAND AND COUNTESS OF CROMARTIE, . . . | 524 |
| INDEX OF PERSONS, . . . | 525 |
| INDEX OF PLACES, . . . | 565 |

CONTENTS OF VOLUME SECOND.

ILLUSTRATIONS IN VOLUME SECOND.

I.—CASTLES, ETC.

| | |
|---|----------------------------|
| TARBAT CASTLE OR BALLONE, | <i>between 428 and 429</i> |
| ANOTHER VIEW OF Do. | |
| FRAGMENT AT CASTLE LEOD, | 438 and 439 |
| MONRO STONE, NEAR CASTLE LEOD, STRATHPEFFER, | 438 and 439 |
| ROYSTON HOUSE, NOW CAROLINE PARK, | <i>facing 452</i> |
| ARMORIAL STONES AND MONOGRAMS AT ROYSTON HOUSE, | <i>Ibid.</i> |
| IRON RAILING IN STAIR, AND MONOGRAM AT ROYSTON HOUSE, | 452 |
| INSCRIPTION STONE OVER NORTH DOOR OF ROYSTON HOUSE, | 453 |

II.—LETTERS LITHOGRAPHED OF

| | |
|---|------------------------|
| George, First Earl of Cromartie, to John, Earl of Mar, 24th January 1706, | <i>between 6 and 7</i> |
| George, First Earl of Cromartie, to John, Earl of Mar, 13th December 1707, | 56 and 57 |
| John, Earl of Mar, to John, Second Earl of Cromartie, 7th September 1714, | 156 and 157 |
| George, Third Earl of Cromartie, 30th January 1762, | 254 and 255 |
| Anne, Duchess of Buccleuch and Monmouth, to George, First Earl of Cromartie, 16th February 1703, | 268 and 269 |

CONTENTS OF VOLUME SECOND.

ILLUSTRATIONS—*continued.*

| | |
|---|----------------------------|
| Simon, Lord Lovat, to George, Third Earl of Cromartie, 3d July 1739, | <i>between 284 and 285</i> |
| Simon, Lord Lovat, to George, Third Earl of Cromartie, 17th October 1745, | <i>312 and 313</i> |
| Narrative by John Lord Macleod, 1745-6— <i>two pages</i> , | <i>388 and 389</i> |

III.—CHARTERS LITHOGRAPHED OF

| | |
|--|--------------------|
| William of Monte Alto to David of Denoon, of a davach of Fernenes, in the tenement of Cromarty, in exchange for the land of Kyppen, 1252-1272, | <i>444 and 445</i> |
| King Robert the Bruce to Sir Hugh of Ross, son and heir of William Earl of Ross, of the sherifdom and burgh of Cromartie, 5th December, tenth year of his reign, | <i>446 and 447</i> |
| King Robert the Second, of Grant by William Earl of Ross to Hugh Harper, of the lands of Inchefuir, 8th April 1371, | <i>320 and 321</i> |
| William, Earl of Ross, Lord of Skye, to Adam of Wrchard, of the lands of Breke, 6th January 1349, | <i>448 and 449</i> |

SIGNATURES.—*Woodcuts of—*

| | |
|--|------------|
| Anne, Duchess of Buccleuch and Monmouth, signing A. B. C., 1693, | <i>265</i> |
| Do. do., 1711, | <i>275</i> |

ABSTRACT OF THE CROMARTIE CORRESPONDENCE IN VOLUME SECOND.

| | Page |
|---|------|
| 254. George first Earl of Cromartie to John Earl of Mar, about the price of Royston, and Lady Duffus's affairs; also the Treaty of Union. Enclosing a letter to the Duke of Marlborough. 1st January 1706, . | 1 |
| 255. The Same to the Same, respecting the salary of Mr. Baird, depute under clerk to the Court of the Lords of Justiciary; also about the Union. 12th January 1706, | 3 |
| 256. The Same to the Same, wherein he states the substance of an interview that he had had with the Lord Advocate respecting the ship which had been seized by his depute; adding that he would proceed in the matter according to law, and wait for Her Majesty's pleasure respecting the disposal of her shares; about the Union, etc. 15th January 1706, | 4 |
| 257. The Same to the Same, wherein he requests that his Lordship would send him, if possible, such of his representations or schemes respecting public affairs as were extant. 24th January 1706, | 7 |
| 258. The Same to the Same, wherein he states that he intended to give his share of the ship to the poor of the parish; encloses a paper for his Lordship's information as to the circumstances of the Countess of Seaforth, his sister, and entreats his influence with Her Majesty to grant the Countess a gift of escheat. 16th February 1706, | 8 |
| 259. The Same to the Same, entreating that if a new regiment were to be levied, he would get a pair of colours for John Stuart, son of the late Lord Balcasky. 16th February 1706, | 9 |

| | Page |
|--|------|
| 260. The Same to the Same, suggesting that if his proposed bargain of Royston were to hold, as much land should be disjoined from the barony of Delny and Meddat as would purchase £150 of rental yearly and convenient house, gardens, and parks, near Edinburgh, for a residence for the Lord Chancellor during vacation. 9th March 1706, . . . | 9 |
| 261. The Same to the Same, wherein he reminds his Lordship of a gift of escheat he formerly recommended to him in favour of Mr. James Sutherland, son of the Lord Duffus; and also of the case of his sister, who was contented to be restricted to 4000 merks per annum from the estate. 23d March 1706, | 10 |
| 262. The Same to the Same, pleading the cause of the Episcopal clergy of Scotland, and their right to a maintenance from the rents of the bishoprics; complaining that the salaries of the collectors of the bishops' rents were increased and little left to the clergy; and recommending particularly the cases of the Bishop of Moray and others. 6th April 1706, | 11 |
| 263. The Same to the Same, thanking his Lordship for a favour granted to his nephew, Mr. Stuart, and for promotion conferred on Major Erskine and Captain Vans; and urging that the matter of Royston should be brought to a close, etc. 9th April 1706, | 13 |
| 264. The Same to the Same, complaining of ill usage, in not having been paid what was due to him as an Officer of State, or given to him by the Queen; and asking that John Stuart's commission as ensign be made effectual to him; also about the Union. 18th April 1706, . . . | 15 |
| 265. The Same to the Same, complaining that several, the Earl of Mar in particular, had taken offence at what he had written with a most sincere desire for the Queen's and nation's advantage. 8th June 1706, . . . | 16 |
| 266. David Earl of Northesk to George Earl of Cromartie, suggesting the reasonableness of the Treaty of Union being no longer kept a secret, and that people should have time to consider it. 16th June 1706, . . | 17 |
| 267. George first Earl of Cromartie, to John Earl of Mar, referring to the misconstruction put upon his letter respecting the Union by many | |

| | Page |
|--|------|
| at Court; and requesting that the escheat of Alexander Forbes, bailiff of Aberdeen, might be burdened with a preference to the amount of his debt due on account of his Lordship's salmon-fishings. 22d June 1706, | 18 |
| 268. John Earl of Mar to George Earl of Cromartie, expressing his approval of his Lordship's views concerning the Union; his discontent with what he had said of the treaters; and his hope that the Scottish Parliament would ratify the Treaty. 25th June 1706, | 19 |
| 269. George first Earl of Cromartie to John Earl of Mar, defending himself for what he had said, and deprecating the introduction of any article into the Treaty of Union that would defeat the measure. 2d July 1706, | 20 |
| 270. The Same to the Same, requesting his Lordship's favourable consideration of the case of Colonel Villars, who had been accused by his butler of having an unlawful trade in French wine. 17th July 1706, | 21 |
| 271. David Crawford, Her Majesty's Historiographer, to George first Earl of Cromartie, stating that his title and commission of Historiographer were threatened to be taken away, and that it was alleged he was to be examined by the Queen and Council in order to oblige him to produce the MS. of his Memoirs, and entreating his Lordship to stand up in his defence. 27th July 1706, | 22 |
| 272. Lieutenant Roderick Bayne to the Same, stating that he had written four days after the battle of Ramillies, giving his Lordship a short account of the battle, and that he had since sent the true relation of it to Sir Robert Monro of Foulis, etc. July 1706, | 24 |
| 273. Sir John Maclean to the Same, wherein he states that he had been endeavouring to get the Queen's permission to go to Scotland, and that he was informed by the treasurer he must wait till Argyll was consulted, etc. 9th October 1706, | 25 |
| 274. George first Earl of Cromartie to John Earl of Mar, expressing a wish that those in power might adopt the best measures; and entreating his Lordship's influence on behalf of Glenderule. 8th January 1707, | 26 |

| | Page |
|---|------|
| 275. George first Earl of Cromartie to Sidney Lord Godolphin, stating that he looked on the Union of Britain as accomplished, and expressing his fear lest the ghosts of departing factions might still appear in the struggle for places and pensions. 15th February 1707, | 27 |
| 276. George first Earl of Cromartie to John Earl of Mar, recommending to his Lordship's favour T. Urquhart of Craig-House. 4th April 1707, | 30 |
| 277. The Same to the Same, mentioning that the Treasury, in place of giving an attestation to every one of the civil list, as the Act of Parliament required, had resolved to put all in one list. 22d April 1707, | 30 |
| 278. The Same to the Same, recommending to his Lordship's favour the relict of Alexander Young, bishop of Ross, on the ground of her husband having been "an honest moderate man;" and stating that he was to send up a signature for changing his little lairdship to blench. 28th April 1707, | 31 |
| 279. The Same to the Same, mentioning that two of Colonel Villars's servants at Tynemouth Castle, who accused the Colonel of having imported forbidden goods from Scotland, had been condemned, one for forging false writs, and the other convicted of larceny, and that the prosecution against the Colonel had been stopped, etc. 17th May 1707, | 31 |
| 280. The Same to the Same, remarks on the state of affairs in Spain and on the Rhine; clamour against the Union, on account of the prohibition of imports from Scotland; that overseers of the excise durst not go to the west, till troops were sent thither. In a postscript, states his need that the Equivalent were sent down. 31st May 1707, | 33 |
| 281. The Same to the Same, transmitting to his Lordship a signature to be presented in Exchequer for changing the holding of his estate from taxt ward to blench. 14th June 1707, | 34 |
| 282. The Same to the Same, enclosing a petition addressed to his Lordship from the daughter of the Bishop of Orkney, whom he describes as being "indeed as low as misery of poverty can throw her." 26th June 1707, | 35 |

| | Page |
|--|------|
| 283. The Same to the Same, earnestly entreating his Lordship to interest himself on behalf of Colonel Villars, on the ground of his being a good friend to Scotsmen, and also because his children were "Mackenzies bairns." 30th June 1707, | 35 |
| 284. The Same to the Same, requesting him to send his signature when he pleased, and before a British Parliament sat; with remarks on the Union and the fisheries; and expressing his hope that the Earl of Mar would work with as great zeal for establishing both a herring and cod fishery in Scotland as he himself had done for the Union, and with more speedy success. 10th July 1707, | 36 |
| 285. The Same to the Same, requesting his Lordship's favour for the passing of the Countess of Seaforth's signature, who was an "Erskine's bairn." 14th August 1707, | 38 |
| 286. The Same to the Same, on a question respecting oaths in the Exchequer; and mentioning that he was wearied troubling Her Majesty with his miserable concerns; that he had been used like a "cast-off dog" respecting that unfortunate £1500; and urging his plea for a preference, on the ground that the money was for an onerous cause, etc. 14th August 1707, | 39 |
| 287. The Same to the Same, wherein he refers to the settlement of the affairs of the African Company; mentions that there was an overture for bringing in the pirates of Madagascar; and suggests that a reasonable method should be taken for ascertaining how much impassable money there was in Scotland, etc. 21st August 1707, | 41 |
| 288. The Same to the Same, wherein, with reference to the Articles of Union, he states that many were discontented on account of the prohibition of importing wines and other articles, and that another cause of discontent was the continuance "of the Scottish disease of envy and emulation;" but that the worst cause of irritation to the people was the needless delay in dividing the equivalent. 25th September 1707, | 43 |
| 289. The Same to the Same, wherein he mentions that he was hopeful the Earl of Mar would mind the greater prospect of Britain and the true interest of Old North Caledonia; and adds that while he was writing, | |

| | Page |
|---|------|
| the Earl of Wemyss had called and told him he had been informed by twenty ministers that his Lordship was in a plot to move for a toleration in the British Parliament, etc. 7th October 1707, | 46 |
| 290. The Same to the Same, thanking his Lordship for favours conferred on him ; expressing also his sense of Sir David Nairn's kindness to him, and earnestly concurring in his Lordship's prayer for the happy issue of the Parliament, and the hope that they would consummate the Union in all its essentials ; and referring in terms of strong disapproval to the proposal of making "Lord Ross in the West to be Earl of Ross in the North." 1st November 1707, | 48 |
| 291. Barbara Mackenzie to her uncle, George first Earl of Cromartie, thanking him for favour shown to her brother-in-law, and entreating his friendship for him in an action he had before his Lordship against Braco for the death of his wife, by frightening her. <i>Circa</i> 1707, | 51 |
| 292. George first Earl of Cromartie to John Earl of Mar, wherein he gives an account of a suit by James Gordon, a son of the late Lord Auchintoul; against Duff of Braco, for attempting to seize the said James on account of a riot committed by him on Alexander Alexander ; and mentioning that Braco's clamorous attack upon Gordon's house caused his lady to fall into a fever, from the fright of which she died, etc. 10th November 1707, | 52 |
| 293. The Same to the Same, wherein he mentions that there was a case fallen out wherein the Earl of Bute's son, and perhaps his own future grandson might have a plea, though without breach of friendship ; and entreats that if any gift of the non-entries should be sought, he should be heard ere it was granted ; and further, as to the succession to Sir George Mackenzie of Rosehauch's estate. 6th December 1707, | 54 |
| 294. The Same to the Same, stating that he was one of a company at Arthur Reed's, including Earl Northesk, Lord Anster, Lord Grange, James and David Erskine, both of Dun, and Boysack, who were not all, nor any of them, for the measures of the squadroni. 13th December 1707, | 57 |
| 295. George first Earl of Cromartie to John Earl of Mar, requesting that his nephew, Colin Campbell, son of the late Lord Aberuchill, might be | |

| | Page |
|---|------|
| preferred to be Captain-Lieutenant to Lord Polwarth ; and stating that the office of Justice-General, which he then held, was talked of as being ambulatory. 17th January 1708, | 57 |
| 296. David Finch, second Earl of Nottingham, to George first Earl of Cromartie, asking him to assist to get the Duke of Roxburgh returned to the next Parliament. February 1707-8, | 58 |
| 297. George first Earl of Cromartie to James Duke of Queensberry, recommending that Britain should give to the fisheries all the immunities that Holland gave, and encourage the making of salt ; stating that the Advocate had received letters respecting the feared descent ; and giving details of several precautionary measures which were proposed ; adding his own views on the matter. 9th March 1708, | 59 |
| 298. George first Earl of Cromartie to James first Duke of Montrose, on the subject of the expected French invasion, and Sir George Byng's forcing the invasion from landing at Aberlady, and informing his Grace that he had written about this matter to the Duke of Marlborough more than fourteen days ago. 24th March 1708, | 61 |
| 299. John Earl of Mar to George first Earl of Cromartie, intimating that the Parliament was dissolved, and that there would soon be a new election of Peers ; requesting Lord Cromartie not to pledge his vote until Lord Mar should arrive in Scotland. 20th April 1708, | 63 |
| 300. George first Earl of Cromartie to James second Duke of Queensberry, Lord High Treasurer, complaining that of what her Majesty ordered for him as her Secretary, both while he was in that office and since, he had not yet received one farthing ; and expressing a hope that the Lord Treasurer would lay his claims before the Queen. 8th June 1708, | 63 |
| 301. James second Duke of Queensberry to George first Earl of Cromartie, intimating that he had transmitted his Lordship's memorial, but it was none of his business to meddle any further in it, and complaining that the delay in it should be laid to his door ; stating that he had presented Lord Fountainhall's demission to the Queen, who would not | |

- | | Page |
|---|------|
| receive it; and had also spoken to Her Majesty and the Treasurer of Lord Cromartie's memorials concerning his fishings, and what was owing him by the Government; but he could say nothing till he had spoken with the Barons of Exchequer. 25th August 1708, | 66 |
| 302. George first Earl of Cromartie to John Earl of Mar, complaining that the Justice Court had been but scurvily used for a long time; and Lord Ross's proceedings concerning it. 4th October 1708, | 68 |
| 303. The Same to the Same, stating that he and the other Lords had returned from circuit, and that the calendar of crime in the largest districts, namely, Aberdeen and Perth, comprehending all between Forth and Spey, embraced only 20 cases, and no proof against 6 of the 20. 26th October 1708, | 69 |
| 304. Sir James Mackenzie, Lord Royston, to his father, George first Earl of Cromartie, saying that he had arrived in London five or six days previously, and that all there were in tears for the death of the Prince, who had died that day, about one o'clock in the afternoon, at Kensington, and that the Queen was inconsolable for his loss; suggesting that since he was blessed with a boy, they must endeavour to get him his own estate; and requesting Lord Cromartie to take legal advice what was to be done, either by raising briefs for serving the boy heir of tailzie and provision to the late Rosehaugh, or by raising a declarator for denuding Lord Mountstuart. 28th October 1708, | 70 |
| 305. The Same to the Same, intimating that he had delivered the Earl's letter to Lord Wemyss and Sir D. Nairne, and would keep them in mind of its contents; expressing his belief that the Queen would have a different opinion from that which Sir David seemed to have, but that the Prince's death would put a stop to all business for some time; that it was looked on as certain that Pembroke was to be Admiral, Wharton Lieutenant of Ireland, Sommers President of the Council, and Sir Richard Onslow Speaker. 6th November 1708, | 71 |
| 306. The Same to the Same, stating that every thing was at a stand on account of the Prince's death, whose body was to be carried to the | |

- Painted Chamber, and interred on the Saturday following, in the same manner as King Charles the Second; that the Queen had renewed to Wemyss the commission of Vice-Admiral, the former commission having fallen by the Prince's death; that he had lodged his petition, and that his greatest loss was the want of witnesses to prove his allegations, since the House of Commons had little regard to depositions or instruments taken elsewhere, etc. 11th November 1708, 72
307. The Same to the Same, stating that Parliament had met that day, and that the Queen's speech set forth the advantages gained during the campaign by the taking of Lisle, Sardinia, Minorca, etc., and recommended good laws, especially such as might render the Union more complete; and that the Duke of Hamilton had made a long speech, complaining of the undue methods employed in the election of Peers, and craving redress; and that the Lords had ordered Sir James Dalrymple and Mr. John Mackenzie to attend them that day month, with all the records relative to that matter. 18th November 1708, 74
308. The Same to the Same, enclosing the great news from the seat of war of Lord Marlborough's victory, and his preserving of Brussels, which was capitulating, while the French were packing up bag and baggage at Ghent and Bruges, to escape, if possible, through the canal of Newport. 23d November 1708, 75
309. The Same to the Same, intimating that the Commons had appointed days for the controverted elections, and that his would come on about the middle of March; that on Tuesday next it would be known if the Commons would throw out the Peers' eldest sons; that considering his uncle's age, and the state of his health, it would be no disadvantage to his family if he resigned his judgeship in favour of Lord Royston; and that in case there should be a new election for the five northern burghs, Lord Cromartie might speak to Sir James, brother of Lord Duffus, to secure Wick for Lord Royston. 27th November 1708, 76
310. The Same to the Same, intimating that the House of Commons had decided the Dumfries election in favour of William Johnston against Projector Paterson, and it would be known whether Strathnaver and

- | | Page |
|--|------|
| his brethren could sit or not ; but whether his own election would be sustained, he knew not ; Sir David Nairn told him that the Queen was to sign warrant for the expense of the circuits, by which the judges were to have £100 each for their equipage, etc. 30th November 1708, | 78 |
| 311. Rev. James Gordon, minister of Bauchory, to the Same, requesting his Lordship's advice how to act in the case of his assistant, upon whom the Presbytery had pronounced a sentence of perpetual silence as to any part of the ministerial function, in respect of his having been licensed by an exauctorate bishop, etc. 20th December 1708, . . . | 79 |
| 312. Sir James Mackenzie, Lord Royston, to his father, George first Earl of Cromartie, giving an account of a famous trial in the House of Commons about the controverted election for Westminster, where one Medlicot, the Duke of Ormond's friend, had carried it against Sir Henry Dutton Colt, a noted Court Whig, chiefly by the Scotch Members, who were unanimous against Sir Henry on a national quarrel ; and adding that Lord Cumbernauld had died on Friday, etc. 21st December 1708, | 81 |
| 313. The Same to the Same, intimating that Parliament was that day adjourned, and that the Land Tax Bill had got the Royal assent ; also that the Commons had resolved to levy recruits by parishes ; and that on the previous day came the news of the taking of Ghent, which would undoubtedly be followed by the taking of Bruges, Placendall, Leffinghen, etc. ; adding that he had presented to the Lord Treasurer the memorial regarding the loss of his office, of which he had been deprived by the Union, though the tenure of it had been for life, but with little hope of success ; of Rymer's <i>Fœdera</i> , etc. 23d December 1708, . . . | 83 |
| 314. George first Earl of Cromartie to John Earl of Mar, reminding him of his concerns. 4th January 1708-9, | 85 |
| 315. Sir James Mackenzie to his father, George first Earl of Cromartie, stating that he was doing what he could to make friends and agents in his grand affair with Butc, etc. 11th January 1708-9, . . . | 85 |
| 316. The Same to the Same, expressing surprise at the opinion of the Barons of Exchequer that neither Sir Thomas Moncreiff nor himself | |

| | Page |
|--|------|
| had any right to the Register of Signatures, but that it ought to be kept in the Remembrancer's office ; adding that it was hard that Lord Cromartie and his family should be the first sufferers by the Union. 25th January 1709, | 87 |
| 317. Obligation by George first Earl of Cromartie to George Strachan, stationer, London, for £20, with Discharge by the latter, annexed. The obligation is dated at Westminster, 1st May 1705 ; and the discharge at Edinburgh, May 6, 1709, | 88 |
| 318. George first Earl of Cromartie to William first Lord Cowper, Lord Chancellor of Great Britain, acknowledging his Lordship's letter, dated the 10th of May ; complaining of factious informations ; and enclosing a paper containing his opinion regarding the shire of Ross. 19th May 1709, | 89 |
| 319. Sidney Godolphin, Earl of Godolphin, to George first Earl of Cromartie, stating that he had read to the Queen Lord Cromartie's last two letters to him, and that Her Majesty was very well convinced of the truth of all that was contained in them, and remembered him with the same kindness as when he was nearer her person. 14th June 1709, | 90 |
| 320. David third Earl of Wemyss to the Same, stating that, as soon as his wife's illness was over, he would go to Thistleworth, to stay there most of the summer, as he was really persuaded that he could live with less expense in London than in Scotland, and that he had reduced his family to as narrow a compass as possible ; the difficulty was how to retire from Parliament so long as he was in the Queen's service and favour, etc. 2d June 1709, | 90 |
| 321. The Same to the Same, intimating that Lady Wemyss was now in a much more probable way of recovery, and that as soon as he could carry her out of town, they intended to go to Thistleworth for a few weeks ; that he had been but one night at Windsor since the Queen went there ; and persuading Lord Cromartie to come to London, as the Queen had a great esteem for him, which his presence would turn to his service, etc. 31st July 1709, | 92 |

| | Page |
|---|------|
| 322. George Fraser, Regent, King's College, Aberdeen, to the Same, begging his Lordship's favour for George White, Episcopal minister of Mary Culter, against whom malicious persons were inventing crimes without any ground but malice. 29th August 1709, | 95 |
| 323. Remonstrance addressed by the congregation of Cramond to the Presbytery of Edinburgh against the attempt made by the Magistrates of that city to translate Mr. William Hamilton, their minister, to be a Professor in the Faculty of Theology in the University. 1st September 1709, | 96 |
| 324. George first Duke of Gordon to George first Earl of Cromartie, informing him that he could not go coursing with him for a day or two for want of his dog; and stating that Sir William Bruce was really ill, but not in sudden danger. 8th September 1709, | 98 |
| 325. George first Earl of Cromartie to Sidney Godolphin, first Earl of Godolphin, as to Lord Ross's pretensions to the title of Earl of Ross, and his attempts to rule the shire in the exercise of the franchise, "on the strength of a little purchase made by him in Ross-shire;" also concerning his accusations. 6th October 1709, | 99 |
| 326. George Mackenzie, afterwards of Rosehaugh, to George first Earl of Cromartie, intimating that the Lords had appointed the following Wednesday for the hearing of his grand cause, but that neither Bute nor his friend Glasgow had as yet come to town; also giving an account of affairs in Ross, etc. 5th November 1709, | 101 |
| 327. The Same to the Same, on the subject of his cause, wherein he entreats Lord Cromartie to advise him how to order an appeal in case of the worst; and alludes to the case of Mr. Greenshields, an Episcopal minister, who was imprisoned by the magistrates for reading the English service. 8th November 1709, | 103 |
| 328. The Same to the Same, intimating that their cause was delayed till Tuesday, and that he feared the worst, but was not entirely without hopes. 10th December 1709, | 104 |

| | Page |
|---|------|
| 329. Sir James Mackenzie, Lord Royston, to his father, George first Earl of Cromartie, informing him that his young Chevalier was that night Laird of Rosehaugh, the Lords having, by a majority of one, found that Sir George's nomination obliged the defender, as being the eldest son of the eldest daughter, to denude in favour of the pursuer, as being the second son of the second daughter. 13th December 1709, | 105 |
| 330. The Same to the Same, expressing his fears as to whether the Lords would adhere to the interlocutor finding young George Laird of Rosehaugh, for without doubt his adversaries would use all means to get it overturned. December 1709, | 107 |
| 331. George first Earl of Cromartie to Sidney Godolphin, Earl of Godolphin, Lord High Treasurer of England, relative to the process of treason pursued by the Queen's Advocate against James Stirling of Keir and four others. 1709, | 108 |
| 332. George first Earl of Cromartie to John Churchill, Duke of Marlborough, pressing for a captain's place to his grandson, Lieutenant Steuart, afterwards Sir John Steuart of Grandtully, and husband of Lady Jane Douglas. 18th February 1709-10, | 112 |
| 333. Charles Lord Yester, afterwards third Marquis of Tweeddale [address wanting], stating that the passports were gone from the Hague for the French plenipotentiaries, and that they and the British plenipotentiaries would meet on the Tuesday following; with proceedings in Parliament, and other news. 17th February 1710, | 112 |
| 334. William fifth Earl of Seaforth to George first Earl of Cromartie, begging him to intercede for the three Catholic gentlemen who had been banished from Scotland in March last, and to get Lord Mar to befriend them. 10th June 1710, | 114 |
| 335. George first Earl of Cromartie to the Honourable James Erskine, Lord Justice-Clerk, stating that though he could not make an adequate return to his Lordship and the Court, yet he did not omit to do what in him lay for their service, and had given in a short memorial to the Treasury about the money, which he hoped would be ordered as before, etc. 19th August 1710, | 114 |

- | | Page |
|---|------|
| 336. Henry Compton, Bishop of London, to George first Earl of Cromartie, excusing himself on the ground of ill health for not having waited on his Lordship before he left town ; expressing his wonder at the policy of encouraging enemies and neglecting friends ; and recommending Lord Cromartie to discuss the matter with the Lord Treasurer. 8th August, <i>circa</i> 1710, | 116 |
| 337. The Same to the Same, expressing his fears that Lord Cromartie's estate would be torn in pieces by the chicanery of the law, and lamenting that a sort of principle was now set up, the practice of which would at last ruin both Church and State. 27th August, <i>circa</i> 1710, . . . | 116 |
| 338. John Steuart, son of Sir Thomas Steuart of Balcaskie, to George first Earl of Cromartie, acquainting his Lordship that he had been left at Lisbon in a high fever, and feared it might be long before he could follow the regiment to Barcelona ; adding that Lord Portmore had done nothing for him, so all that remained for him was another Almanza. 19th March 1710-11, | 117 |
| 339. Kenneth third Lord Duffus to the Same, asking a loan of five guineas to pay his cook, who, without it, would not supply him any longer. <i>Circa</i> 1710, | 118 |
| 340. George Lord Haddo, son of George first Earl of Aberdeen, to the Same, acknowledging the receipt of a letter from his Lordship, and thanking him for the favour. 16th January 1711, | 118 |
| 341. Sir John Macleane to the Same, stating that by the death of his wife, seven children, the eldest scarcely eight years old, had been left to his single care ; that his family was on the brink of ruin because of their adherence to the Crown ; and begging Lord Cromartie to lay his case before the Queen, that she might give his son the command of a company in a Scotch regiment. 2d February 1711, | 119 |
| 342. Sir James Mackenzie, Lord Royston, to his father, George first Earl of Cromartie, respecting a claim by one Smith on the effects of Sir Archibald Cockburn of Langton, which he looked on as ill-founded ; and | |

- a memorial from Aberdeen, complaining of the tediousness of Scotch judicial procedure, and desiring that the English laws concerning bankrupts might be extended to Scotland, etc. 15th March 1711, . . . 121
343. The Same to the Same, stating that among Langton's papers he had found Smith's account (referred to in No. 342) discharged; and mentioning that the Duchess of Buccleuch seemed inclined to have the bailie of Dalkeith in the house in her absence, by which arrangement the expense of watchmen would be lessened. 20th March 1711, . . . 124
344. The Same to the Same, enclosing a letter from Mr. Melville, chamberlain of Eskdale, with a copy of one from Mr. Robinson, making proposals as to the examination of the latter's accounts; and referring to the sudden death of Fisher, the famous treasurer of Heriot's Hospital; speaking of some copies of the Tattler which he was sending to Lord Cromartie, he says that it was reported that they were written by a club of young lads, with the help of Mrs. Mary Cockburn, whom his sister Anne knew. 26th March 1711, . . . 124
345. The Same to the Same, referring to George's recovery from a fever; his own contemplated journey to Hawick; and the Earl of Bute's marriage at Roseneath, etc. 19th April 1711, . . . 126
346. Benjamin Robinson, factor to Anne Duchess of Buccleuch and Monmouth, to George first Earl of Cromartie, enclosing the registered submission and decreet-arbitral between her Grace and the Earls of Melvill and Leven; and defending himself from the charge of having omitted to register the Earl of Leven's assignation to the Duchess, and of delaying his accounts. 17th July 1711, . . . 127
347. David third Earl of Leven to the Same, mentioning some talk to the effect that he was to lose the Castle; and begging of Lord Cromartie to inquire into these reports, and to speak favourably of him to the Queen. 23d October 1711, . . . 129
348. James first Earl of Seafeld to the Same, expressing his gratitude to the latter for befriending him at Court; and intimating that the Dukes of Hamilton and Argyle, and others, had promised to support him at the next election instead of the Earl Marischall. 8th July 1712, . . . 129

| | Page |
|--|------|
| 349. George first Earl of Cromartie to the Royal Company of Archers, resigning the captaincy of that society. 1712, | 130 |
| 350. The Same to David third Earl of Wemyss, with proposition for the exchange of Royston. The price asked was £5000 sterling. 1710-1714, 131 | 131 |
| 351. The Same to James second Duke of Ormond, extolling his Grace's actions and counsels in the last campaign, and recommending the bearer of the letter to his Grace's favour. February 1713, | 132 |
| 352. Alexander Bruce, Advocate, to George first Earl of Cromartie, presenting his Lordship with a copy of his work on Feudal Customs. 12th March 1713, | 134 |
| 353. Alexander ninth Earl of Caithness to the Same, regretting that the condition of his health did not allow him to attend Parliament; and complaining that Breadalbane, who had offered to sell him some lands which lay nearest his own, was now selling them to others. 26th March 1713, | 134 |
| 354. George first Earl of Cromartie to Queen Anne, with a copy of his treatise on "The Gowrie Conspiracy;" and mentioning that in 1682, when he was Keeper of the Public Records, he had discovered documents which proved that Elizabeth Mure was the lawful first wife of Robert II., contrary to general belief both in this and in other nations. June 1713, 136 | 136 |
| 355. The Same to the Same, complaining that the arrears of his salary had not been paid; and sending the Memorial, No. 356, <i>infra</i> . 5th November 1713, | 139 |
| 356. Memorial by George first Earl of Cromartie to Queen Anne, respecting the arrears of his official salary, which, with interest, amounted in all to £4214. 5th November 1713, | 141 |
| 357. John Lord Macleod to his father, George first Earl of Cromartie, referring to his wife's illness; transactions with certain Ross-shire lairds; payment of the Crown rents of Ross; reports that the passes of the Grampians were infested with robbers; and the garrisoning of the houses of Fowlis and Inverbreakie. 26th February 1714, | 144 |

- | | Page |
|--|------|
| 358. George Earl of Orkney to George first Earl of Cromartie, stating that after having got the command of Edinburgh Castle, he had orders to reduce the youngest lieutenant and ensign; and that Mr. Mackenzie, being really the youngest, had no manner of claim. 3d May 1714, . | 146 |
| 359. Francis Godolphin, Baron Godolphin, to the Same, intimating that he would lay his communication before the Queen; and expressing his satisfaction at the appearance of calmness and moderation in Scotland. 16th May 1714, | 147 |
| [In the heading of the letter, the writer has been named Sidney Earl of Godolphin.] | |
| 360. John Lord Macleod to his father, George first Earl of Cromartie, concerning the health of his family; transactions relating to the fishings in Gairloch, Lochew, and Torridon, etc. 30th June 1714, . . . | 148 |
| 361. David third Earl of Wemyss to George first Earl of Cromartie, apologising for having left town without taking leave of his Lordship. 11th July 1714, | 150 |
| 362. George first Earl of Cromartie to Thomas Robertson, Bailiff of Inverness, requesting him to send him some claret and four gallons of the best brandy. 4th August 1714, | 151 |
| 363. George first Earl of Cromartie to his Son, Sir James Mackenzie, Lord Royston, stating that the people of the neighbourhood were mustering and arming, and there were guards about all houses; and that Tain had proclaimed the King, etc. 12th August 1714, | 151 |
| 364. General Charles Ross to George first Earl of Cromartie, intimating his intention to contest Ross-shire at the next election. 28th August 1714, | 152 |
| 365. Alexander Erskine, Lord Lyon, to John Lord Macleod, suggesting that there was need for honest men to stick together and make a good election to the next Parliament, which was expected to be called very soon; and as to Dr. Strachan's election for the northern burghs. 2d September 1714, | 153 |

| | Page |
|--|------|
| 366. Unsigned letter to John Earl of Mar, announcing that the Earl of Cromartie had died on the preceding Friday ; that on hearing of the Queen's death he had shut himself up in his closet for three hours, was very melancholy when he came out, then went to bed and never rose again. 2d September 1714, | 154 |
| 367. Alexander fourth Lord Elibank to John second Earl of Cromartie, acknowledging the receipt of an intimation of the late Lord Cromartie's death. 6th September 1714, | 155 |
| 368. John Earl of Mar to John second Earl of Cromartie, condoling with him on the death of his father ; and giving him the electioneering news of the northern districts. 7th September 1714, | 155 |
| 369. William fifth Earl of Seaforth to the Same, congratulating him on his accession to his new dignity, and desiring his vote for Lord Portmore at the ensuing election of Peers. London, 11th September 1714, | 157 |
| 370. Alexander fourth Lord Elibank to the Same, suggesting that he should be in Edinburgh before the next election ; and that by complying with the measures of the Court, Lord Cromartie would have an opportunity of securing to himself the pension enjoyed by the late Earl, his father, etc. 24th January 1715, | 158 |
| 371. The Honourable James Erskine, Lord Grange, Lord Justice-Clerk, to the Same, pleading ill health as an excuse for not having waited on his Lordship at Beanston Muir ; stating that he had sent his proportion of men to the place of rendezvous, and was determined to serve King George to the best of his ability. 5th October 1715, | 159 |
| 372. Patrick Haldane of Gleneagles to the Same, intimating that an express had arrived from Scotland with tidings that Perth had been seized by 150 rebel horse, commanded by Colonel Hay, son of the Earl of Kinnoul. 20th October 1715, | 160 |
| 373. Lady Anne Lindsay, wife of James third Viscount Kingston, to the Same, stating that upon receipt of his orders, Lord Kingston's horse was ready, but that the arrival of the Highlanders prevented everybody's horse from going out ; she had now sent the best she had, and hoped the Earl would remit the penalty of £6. 31st October 1715, | 160 |

374. Robert Pringle, Secretary of State, to the Marquis of Tweeddale, promising to lay before the King his representations as to preserving the peace in his county; that it was hoped the Earl of Argyll would make head against the Earl of Mar; that there was no certain news of the Duke of Ormond; and stating that the King had ordered 3000 of the Dutch troops to land in the Firth of Forth; that the Pretender had left Bar le Duc, and was come to Chateau Thierry in Champaign, but that upon a memorial from Lord Stair, the Regent had directed the Duke de Guiche to order the Pretender to be carried back into Lorrain. 4th November 1715, 161
375. Lady Jean Hay, Countess Dowager of William first Earl of March, to [probably Charles Marquis of Tweeddale and not John second Earl of Cromartie, as in the heading], stating that the neighbourhood was in perfect quiet, and that Lord Annandale's demand of 400 fencible men was more than the district could bear, the population being only about 2000. 4th November 1715, 163
376. John third Lord Belhaven to the Same, advising his Lordship that the most effectual way of stopping the correspondence between the rebels in the north and south of Scotland, was to station a few foot along the coast at Aberlady, rather than to station the dragoons at Haddington, as he proposed. 5th November 1715, 164
377. Letter, without signature, to the Same, mentioning that on Lord Stair's application the Pretender had been ordered to leave France; that the Duke of Ormond had been on the west coast with a ship containing stores of arms and ammunition; the Dutch troops were certainly at sea; that the Irish troops for Argyll were landed; that the Highlanders, with the Border and Northumberland rebels, were then at Kendal on their way to Lancashire; and that General Wiles was before them with nine regiments, and General Carpenter following in their rear. 8th November 1715, 165
378. Alexander Grant of Grant to the Same, asking his Lordship to befriend a gentlewoman, a relation, married to the Laird of Ardross. 13th March 1716, 168

| | Page |
|---|------|
| 379. John first Duke of Athole to the Same, congratulating him on his marriage with his Grace's niece, Miss Fraser of Lovat. 2d November 1717, | 169 |
| 380. John first Duke of Athole to the Same, relative to the appointment of curators for M'Leod. 30th November 1720, | 170 |
| 381. Lady Helen Mackenzie, wife of Sir John Mackenzie of Coul, to the Same, relative to Easter Fearn's allegation in a letter to the Lord Advocate, that he had been attacked by rebels, who were assisted by Sir John Mackenzie of Coul, which Lady Helen denied. 3d November 1721, | 171 |
| 382. Alexander fourth Lord Elibank to George Lord Tarbat, afterwards third Earl of Cromartie, entreating him to make haste to Edinburgh, for that was a critical time for the preservation of his family; adding that a proposal had been made that he should have £10,000, and be sent abroad to travel; and asking him to bring with him a full rental of his estate, etc. 26th July 1722, | 174 |
| 383. Charles Delafaye, Secretary to the Lords Justices, to John second Earl of Cromartie, signifying, on a representation from the Commission of the General Assembly, their Lordships' desire that he should be vigilant in preventing and punishing the attempts of Popish emissaries to pervert the people to the interests of a Popish Pretender; to suppress Popish schools and seminaries; to apprehend trafficking priests or Jesuits; and to shut up such meeting-houses as had not qualified preachers, etc. 30th November 1723, | 175 |
| 384. Sir William Gerdon of Invergordon, Baronet, to the Same, on the occasion of the marriage of his daughter to Lord Tarbat, promising all the assistance in his power in everything that could tend to the welfare of the Cromartie family. 25th June 1724, | 176 |
| 385. Alexander fourth Lord Elibank to George Lord Tarbat, afterwards third Earl of Cromartie, acknowledging his Lordship's letter intimating the death of his sister Mary. 15th June 1726, | 177 |
| 386. John fourth Marquis of Tweeddale to John second Earl of Cromartie, asking his interest for re-election as a representative Peer. 1st September 1727, | 178 |

Page

387. Sir James Mackenzie, Lord Royston, to his nephew, George third Earl of Cromartie, expressing his grief for the death of his brother, the second Earl, and in answer to Lord Cromartie's question, suggests that his son might well use either the designation of Tarbat or Macleod, both being in the Patent. 5th March 1731, 179
388. George third Earl of Cromartie to John Mackenzie of Meddat, intimating the steps he had taken for the recovery of 4000 or 5000 deer which had been driven out of the forest of Fanich into the forest of Freivater, etc. 30th June 1737, 179
389. Patrick fifth Lord Elibank to George third Earl of Cromartie, reporting a complaint made to him respecting his Lordship by Lord Ilay as to the feu-duties in Ross, and advising him to make his own terms with the Government. 23d December 1739, 181
390. Charles Gordon, son of Sir William Gordon, Baronet, to his brother-in-law, George third Earl of Cromartie, announcing the dangerous illness of his father, Sir William. 2d January 1741-2, 182
391. Leonard Urquhart, Writer, Edinburgh, to George third Earl of Cromartie, giving an account, *inter alia*, of the illness of Sir William Gordon, and the hopelessness of his case. 7th January 1742, 183
392. William twentieth Earl of Sutherland to Sir John Cope, stating that in the event of a Jacobite rising, his Lordship believed he could raise 1800 men in Sutherland and 400 in Caithness; and recommending that a lord-lieutenant should be named, and arms distributed. 24th March 1743-4, 184
393. Duncan Forbes of Culloden, Lord President of the Court of Session, to George third Earl of Cromartie, asking his Lordship's consent to Lord Macleod's accepting a captain's commission in some of the independent companies which were about to be raised. 23d September 1745, 186
394. The Same to the Same, advising his Lordship at such a conjuncture not to stand upon ceremony, but to consent to Lord Macleod's accepting the commission offered to him. 25th September 1745, 187

- | | Page |
|---|------|
| 395. George third Earl of Cromartie to Duncan Forbes of Culloden, in reply to the above, expressing his regret that, on account of the singularity of the conditions of the proposed commission for his son, he could not advise the latter to accept it. 26th September 1745, | 187 |
| 396. William Marquis of Tullibardine, signing Atholl, to George third Earl of Cromartie, intimating that he had been appointed by His Royal Highness (the Pretender) Commander-in-Chief of the Forces north of the Forth; desiring Lord Cromartie to raise all his men and march with the utmost expedition to join the Prince. 28th September 1745, | 188 |
| 397. George third Earl of Cromartie to Duncan Forbes of Culloden, expressing a hope that the President would not only not believe the idle stories circulated about him, but contradict them. 19th October 1745, | 189 |
| 398. Duncan Forbes of Culloden to George third Earl of Cromartie, acknowledging receipt of the above, and expressing his satisfaction at the assurances of loyalty therein contained. 21st October 1745, | 190 |
| 399. Lord John Drummond, second son of James Lord Drummond, who was eldest son of James first Duke of Perth, to the Same, communicating to him the Prince's orders to send the picket he had under his command from Fife to Dunblane; and announcing the Prince's intention to lay siege to Stirling Castle in person. 31st December 1745, | 191 |
| 400. Lord George Murray, fifth son of John first Duke of Athole, to the Same, ordering him to march out of Aberdeen on the following morning with the rest of the foot, to proceed to Old Meldrum, and thence to Strathbogie. 10th February 1746, | 191 |
| 401. The Same to the Same, stating that he had been marching to join his Lordship, till he met an express with news that the enemy had retired into Sutherland; that he had left the Stewarts of Appin at Fowlis to enable Lord Cromartie to send in meal, and raise contributions; and that the Macgregors would be at Dingwall to receive his orders. 25th February 1746, | 192 |
| 402. The Same to the Same, with information that he had left 300 men for Lord Cromartie's service, and desiring the latter to gather two or three | |

| | Page |
|--|------|
| chalders of meal into the house of Foulis, to which Lord Cromartie might retire, in the event of Lord Loudon's recrossing the water, if he was not strong enough to fight him. 26th February 1746, . . . | 193 |
| 403. Colonel John O'Sullivan, Adjutant-General to Prince Charles Edward, to the Same, with information that the enemy was marching towards Aberdeen, and ordering Lord Cromartie to hold his brigade in readiness to march at an hour's warning. 27th February 1746, . . . | 194 |
| 404. Sir Thomas Sheridan, attending Prince Charles Edward, to the Same, desiring him to send a party of his corps, under the command of Glengyle, to assist Ross of Pitcairney, who had undertaken to raise a good number of his men for the Prince's service. 28th February 1746, . . . | 194 |
| 405. The Same to the Same, stating that the Prince did not consider it advisable to send more forces in pursuit of Loudon. 1st March 1746, . . . | 195 |
| 406. The Same to the Same, announcing that the reinforcement desired by the latter, was ordered to march at break of day to join him. 1st March 1746, | 196 |
| 407. Colonel John O'Sullivan to the Same, announcing that the Prince had ordered Glengarry's, Clanranald's, Appin's, Barostel's, and Fraser's regiments to join his Lordship at Kinkell; as also certain officers to serve his Lordship as aides-de-camp. 1st March 1746, | 196 |
| 408. The Same to the Same, promising to send his Lordship the 100 stand of arms wanted by him, as soon as the gun-smiths had them ready. 2d March 1746, | 197 |
| 409. The Same to the Same, stating that if Loudon were returned into Sutherlandshire, it was the Prince's intention that the regiments of Glengarry, Clanranald, and Appin, should be quartered as near as they could from Kinkell to Ferntosh, that they might be able to assemble at the least alarm. 2d March 1746, | 197 |
| 410. Sir Thomas Sheridan to the Same, stating that the Prince was impatient to know whether it was true that Loudon had returned into Sutherlandshire, and announcing that Fort Augustus had surrendered that morning. 2d March 1746, | 198 |

| | Page |
|---|------|
| 411. The Same to the Same, with instructions to send as much meal as he could collect to Inverness. 3d March 1746, | 199 |
| 412. The Same to the Same, intimating the Prince's desire that his Lordship should remain at Dingwall, to raise meul and bring in all the meal that could be got. 3d March 1746, | 199 |
| 413. Colonel John O'Sullivan to the Same, intimating that he had engaged Louis Drummond to send him 100 stand of arms for his Lordship's men. 3d March 1746, | 200 |
| 414. Sir Thomas Sheridan to the Same, desiring the latter to send Mr. Burgh, the Prince's aide-de-camp, to Inverness; and announcing that, from a French ship stranded on the coast, they had got 50 soldiers, 500 arms, and the crew, consisting of 110 men. 4th March 1746, | 200 |
| 415. Colonel John O'Sullivan to the Same, intimating that, by orders of the Prince, Captain Stack would review his Lordship's troops; and that 108 guns and as many bayonets had been sent to his Lordship. 6th March 1746, | 201 |
| 416. Sir Thomas Sheridan to the Same, stating that no more arms could be sent to his Lordship at that time, as none were ready. 6th March 1746, | 202 |
| 417. Protection by George third Earl of Cromartie, to the heritors, tenants, and possessors of the shire of Ross, when carrying their farm meul, to pass to and return from Inverness without molestation. 7th March 1746, | 202 |
| 418. Sir Thomas Sheridan to George third Earl of Cromartie, asking him to keep a strict eye on Rory Mackenzie, a Presbyterian minister, going to Ross, that he might not find his way to Loudon. 11th March 1746, | 203 |
| 419. The Same to the Same, intimating that the Prince was getting better and better every day. 12th March 1746, | 204 |
| 420. The Same to the Same, stating that the best thing that the latter could do was to remain at Tain till further orders, and to raise all the meul, meal, and men that he could. 15th March 1746, | 204 |

- | | Page |
|---|------|
| 421. The Same to James Duke of Perth, desiring his Grace, since it was impossible to pursue Loudon beyond the water, to return to Inverness as soon as he could. 15th March 1746, | 205 |
| 422. The Same to the Same, announcing that Major Glasgow, with 200 foot, 14 of the Guards, and some Hussars, had attacked 60 Campbells and 30 of Kingston's horse, who were at Keith, and that of the latter 20 were killed, and the rest taken prisoners. 16th March 1746, | 205 |
| 423. James Duke of Perth to George third Earl of Cromartie, recommending his Lordship to inform the Prince that, with the Murray boats, which could easily be sent, and the few boats in Cromartie Bay, it was very easy to pursue Loudon's men, who were in absolute want of meal, and had no food but boiled rye. 16th March 1746, | 206 |
| 424. The Same to the Same, informing the latter that several of Loudon's men had cried across the ferry that they would come over had not the oars been shut up, and desiring his Lordship to bring with him as many spare oars as possible, in case they should find the enemies' boats without the oars, etc. 17th March 1746, | 207 |
| 425. Sir Thomas Sheridan to the Same, stating the Prince's determination that Loudon should be attacked by means of the Murray boats, since it was necessary that his men should be dispersed. 17th March 1746, | 208 |
| 426. The Same to the Same, stating that, in consequence of fresh intelligence, the Prince was confirmed in the resolution expressed in the foregoing letter. 17th March 1746, | 209 |
| 427. James Duke of Perth to the Same, reminding his Lordship that it would be necessary to give their troops some previous warning to be in readiness, etc. 18th March 1746, | 209 |
| 428. Sir Thomas Sheridan to the Same, the bearer being Mr. Petrie, who was sent to assist his Lordship in raising contributions in Ross-shire, stating that a gentleman despatched by the Duke of York had just arrived with the strongest assurances of support from the Court of France, and with the news that a fleet of 36 French and Spanish men-of-war, and 28 large privateers, had sailed from Brest. 20th March 1746, | 210 |

- | | Page |
|--|------|
| 429. The Same to the Same, with the Prince's congratulations on his Lordship's late success, and informing him of the successful attack on the Campbells and Kingston's horse at Keith. 22d March 1746, . . . | 211 |
| 430. Colonel John O'Sullivan to the Same, with tidings that two men-of-war and five transports had been seen making for Cromartie Bay; and warning his Lordship to be on his guard lest some of them should land and seize on the stores at Tain, etc. 27th March 1746, . . . | 211 |
| 431. The Same to the Same, with reference to the same subject; and that it was reported that the transports had come to convey Loudon's army to Aberdeen. 28th March 1746, . . . | 212 |
| 432. Pass by Sir Everard Fawkner, permitting Isabella Countess of Cromartie, her daughters, and their attendants, to go to London. 24th April 1746, . . . | 213 |
| 433. Order by William sixteenth Earl of Sutherland, Justiciar of Sutherlandshire, commanding that a sergeant and 12 men of the Sutherlandshire militia should reside at New Tarbat as a guard. 24th April 1746, . . . | 214 |
| 434. Lord Hardwick, Lord High Chancellor of England, to Lord Strange (Duke of Athole), requesting him to attend the trial of the Earls of Kilmarnock and Cromartie, and Lord Balmerino, on 28th July following. 30th June 1746, . . . | 214 |
| 435. Copy of—(1.) Letter of Sir John Gordon to Sir Dudley Ryder, Attorney-General: (2.) Petition of John Lord Macleod: (3.) Reference to the Attorney-General: (4.) Sir Dudley Ryder's Answer to Sir John Gordon. | |
| (1.) Sir John Gordon writing to Sir Dudley Ryder, mentions a petition for his nephew, Lord Macleod, which was laid before his Majesty and favourably received, and thereafter was remitted to the Attorney-General; asking him therefore to stop Lord Macleod's arraignment. 29th August 1746. | |
| (2.) The petition of John Lord Macleod states his intention to plead guilty to the crime of high treason with which he was charged; | |

Page

expresses his contrition ; and begs permission to remain in the Tower till the day of trial, instead of being taken to the new gaol in Southwark, which was crowded with prisoners.

- (3.) The foregoing petition is referred to the Attorney-General by Lord Harrington, on his Majesty's command. 29th August 1746.
- (4.) Sir Dudley Ryder intimates to Sir John Gordon that he sent to Mr. Sharp a letter stopping Lord Macleod's arraignment, . . . 215
436. Mrs. Jean Murray, attendant on Isabella Countess of Cromartie, to John Mackenzie of Meddat, expressing her lady's surprise that Master Georgie was not permitted to be under the care of Lady Arniston. 30th August 1746, 218
437. John Mackenzie of Meddat to Mrs. Jean Murray, mentioning a rumour that Lord Macleod was to be sent to Jamaica for life, and £200 to be settled on him by the King ; with news of the family, etc., at New Tarbat. 20th November 1746, 219
438. Mrs. Jean Murray to John Mackenzie of Meddat, informing him of her Lady's safe delivery, etc. 10th January 1747, 220
439. John Lord Macleod to John Mackenzie of Meddat, concerning a hanger, sword, and flute. 19th March 1747-8, 221
440. Ann Gordon, wife of Robert Dundas, Lord President of the College of Justice, to her brother-in-law, George third Earl of Cromartie, with postscript to Lord Macleod, concerning a project of his for entering the Prussian service ; recommending him to consult Dr. Chandler before determining on the said project. 18th April 1748, . . . 222
441. J. Potter, for the Lords Justices, to George Mackenzie, late Earl of Cromartie, stating that £200 would be paid to him as soon as he was ready to proceed to his new residence near Honiton. 14th July 1748, 225
442. The Same to the Same, acquainting him that the Lords Justices had ordered a warrant to be prepared approving of his residing at Layhill ; also that the £200 would be paid to him at the Treasury. 21st July 1748, 226

| | Page |
|--|------|
| 443. John Lord Macleod to his father, George third Earl of Cromartie, expressing regret that all that he did was carped at by some of his relations in Scotland ; and stating his intention to offer his service to some of the Northern Powers. 18th April, <i>circa</i> 1749, | 226 |
| 444. The Same to the Same, trusting that the reasons formerly assigned for his leaving Devonshire were satisfactory, etc. 22d April 1749, | 228 |
| 445. The Same to the Same, expressing sorrow that his parents should have pain on his account, and stating that he was now on the eve of sailing for Hamburg on his journey to Berlin. 6th May 1749, | 229 |
| 446. Alexander Mackenzie of Gerloch to John Mackenzie of Meddat, stating, in answer to a communication, that he would rather Lord Cromartie had died, sword in hand, than that he should have solicited aid from inferiors. 17th May 1749, | 230 |
| 447. John Lord Macleod to his father, George third Earl of Cromartie, intimating his arrival at Hamburg, and his favourable reception by Mr. Cope, son of Sir John Cope, the English resident. 13th June 1749, | 230 |
| 448. George third Earl of Cromartie to John Mackenzie of Meddat, requesting money to be sent to London to his wife ; and to thank those gentlemen who had assisted him. 9th September 1749, | 231 |
| 449. Copy of two letters from John Lord Macleod to his father, George third Earl of Cromartie, in the first of which, dated Dantzic 6th December 1749, he states that in consequence of Velt Marechal Keith's application, the Swedish minister was likely to do much for him, | 232 |
| The second letter, from Stockholm, intimates that in a few days he would get a commission as captain in the regiment of foot commanded by Major-General Baron Hamilton ; mentioning that many of the Swedish nobility were of Scottish origin, such as Hamilton, Fercen (McPherson), Douglas, Stuart, Spens, McDugal, etc. 16th January 1750, old style, | 233 |
| 450. George third Earl of Cromartie to John Mackenzie of Meddat, concerning furniture to be sent, etc. 20th April 1751, | 234 |

| | Page |
|--|------|
| 451. Lord George Murray, signing "De Valignie," to John Lord Macleod, promising to address the King in the hope that some benefit might arise. 25th April 1751, | 235 |
| 452. George third Earl of Cromartie to John Mackenzie of Meddat, giving directions concerning the sale of certain articles of furniture at Cromartie. 4th July 1752, | 236 |
| 453. Lord George Murray, signing "De Vallignie," to John Lord Macleod, regretting that the latter is occasionally troubled with ague, and counselling him to devote himself to whatever studies are requisite for an officer, etc. 1st April 1753, | 239 |
| 454. The Same to the Same, mentioning that he suspected their letters were opened on the way ; thanking him for his account of the manœuvres by the Danish troops at Copenhagen ; with an account of the encampment of the Prussian troops at Potsdam ; accounts of his second son ; that his eldest son was married to Charlot, only child of the Duke of Athole ; and sympathising with him in his straitened circumstances, etc. 29th October 1753, | 241 |
| 455. Field-Marshal the Honourable James Keith, second son of William Earl Marischal, to John Lord Macleod, asking forgiveness for having employed an amanuensis, through illness, and giving directions as to certain things necessary to be bought for his equipage. 13th March 1757, | 244 |
| 456. Patrick fifth Lord Elibank [address wanting], referring to the high principles of his correspondent, and the steps he had taken for the relief of his country ; and reminding him of the hard case of his brother, Alexander Murray, who had been condemned to six months' imprisonment and perpetual exile, for honestly endeavouring to exert the privilege of a free-born subject. 2d April 1757, | 245 |
| 457. John Lord Macleod to John Mackenzie of Meddat, stating that he was in the country for a few weeks on a visit to his friends, and asking him to influence Tulloch and Bailie Alexander Mackenzie and others in behalf of Sir John Gordon. 11th September 1758, | 246 |

- | | Page |
|---|------|
| 458. Brigadier-General James Murray, son of Alexander fourth Lord Elibank, to his brother, Rear-Admiral George Murray, intimating his appointment as Governor of Quebec; of the state of his command, and his preparations for a winter campaign; and his intention to provide for his friends, etc. 11th October 1759, | 247 |
| 459. Captain Roderick Mackenzie to his brother, George third Earl of Cromartie, containing a short poem styled "Characteristics," intended to hit off some of his Lordship's acquaintance. 11th August 1760, | 248 |
| 460. Brigadier-General James Murray, son of Alexander fourth Lord Elibank, to his brother, Rear-Admiral George Murray, defending the part he had acted in the campaigns in Canada. 19th October 1760, | 250 |
| 461. Charles John Hope to John Lord Macleod, recommending to him Mr. Pointz, about to make the tour of Denmark and Sweden, and then return to England. 21st June 1761, | 254 |
| 462. George third Earl of Cromartie to [address wanting], stating that news had come from South Carolina of the death of Mr. Atkins, his daughter's husband; that his eldest son had been made a knight of the order of the Sword and North Star by the King of Sweden; with other information about his family. 30th January 1762, | 255 |
| 463. Intimation of the death of Lady Anne Murray, wife of John Murray, M.D., and daughter of George third Earl of Cromartie, who had been first married to Edmond Atkins, Esquire, President of the Council of South Carolina. 22d January 1768, | 256 |
| 464. Henry Dundas, Advocate, afterwards first Viscount Melville, to [address wanting], regarding a consultation with Mr. M'Queen, and stating what the law requires in reference to interest for money, etc. 8th August 1770, | 256 |
| 465. Brigadier-General James Murray, son of Alexander fourth Lord Elibank, to his brother, Rear-Admiral George Murray, expressing regret that there should be any disagreement on the subject of Lord Elibank's | |

executors; his sorrow for the misfortune of Dr. Murray's family; his pleasure in hearing of Lady Bell's welfare, etc.; stating that he was not to leave for his command in Minorca till November. 9th July 1774, . 257

Thirty-two letters from Aune Duchess of Buccleuch and Monmouth to George Viscount of Tarbat and Earl of Cromartie.

466. In the first of the letters, subscribing A. B., she mentions the acceptance of the resignation which was made to the Kiug. 26th July, *circa* 1686, 259

467. The Same to the Same, stating that she cannot forgive the interest of Lord Tweeddale's debt, but that if payment be immediately made, there may be a partial remission, etc. 3d January, *circa* 1691, 260

468. The Same to the Same, in regard to Mr. Mein's being appointed minister at Dalkeith. 21st February 1691, 261

469. The Same to the Same, regarding the foregoing of debts in behalf of some, particularly Colonel Stewart. 30th August *circa* 1691, . . . 262

470. The Same, subscribing A. B. C., to the Same, expressing her pleasure in his son's acquittal, and blaming Scrimger for not giving information on certain points. 5th September, *circa* 1691, 263

In a postscript to his wife's letter, Lord Cornwallis also congratulates his Lordship on the Master of Tarbat's acquittal.

471. The Same, subscribing A. B. C., to the Same, concerning adjusting accounts with her son by commission; that the business was resolved on all hands concerning the fair lady, etc. 25th April, *circa* 1693, . . 264

472. The Same to the Same, expressing a wish that his Lordship should be present at her son's marriage. 7th November, *circa* 1693, . . . 265

473. The Same to the Same, expressing gladness to hear from him, and respect and affection, which had begun in childhood and would not alter in age. 19th August, *circa* 1694, 265

474. The Same to the Same, regretting that there should be misunderstanding in relation to her on the part of his Lordship. 28th October [1694], 266

| | Page |
|--|------|
| 475. The Same to the Same, lamenting the death of Mary Queen of Great Britain, and announcing the birth of her grandson. 12th January 1695, | 267 |
| 476. The Same to the Same, referring to the approaching return of his Lordship to Scotland, of which she had learnt by inquiry at her sister, his wife ; and offering to furnish money to defray expenses on the occasion. 16th February 1703, | 268 |
| 477. The Same to the Same, stating that her daughter Isabella had got the small-pox, and declaring that her name should not be mixed up in the plot, with which Captain Fraser was connected, etc. 18th January, <i>circa</i> 1704, | 268 |
| 478. The Same to the Same, expressing regret that Lord Clarendon and his Lordship met so seldom, etc. 23d January, <i>circa</i> 1704, | 269 |
| 479. The Same to the Same, referring to the change of statesmen. 16th March, <i>circa</i> 1704, | 269 |
| 480. The Same to the Same, expressing sorrow at her sister's ill health. 8th February, <i>circa</i> 1705, | 270 |
| 481. The Same to the Same, alluding to the vanity of W. being increased since his stay in England. 29th June, <i>circa</i> 1705, | 270 |
| 482. The Same to the Same, trusting that he will prevent the Duke of Athole from paying a visit to Dalkeith, the house being shut up during her absence, but that all will be welcome when she returns. 1st August, <i>circa</i> 1705, | 271 |
| 483. The Same to the Same, expressing her sympathy with him in trouble. 2d December, <i>circa</i> 1705, | 271 |
| 484. The Same to the Same, reminding him of an engagement to go and see little young Elcho. May 1706, | 272 |
| 485. The Same to the Same, saying that Lady Northesk blames him for the part he took in the Union ; and of Nairn's ill service. 23d July 1708, | 272 |
| 486. The Same to the Same, referring to an accident which occurred while travelling ; of Lord Wemyss, etc. 28th July, <i>circa</i> 1709, | 272 |

| | Page |
|---|------|
| 487. The Same to the Same, alluding to the victory [of Mons], and lamenting the Marquis of Tulibardine's death. 13th September [1709], . . . | 273 |
| 488. The Same to the Same, desiring him to come whenever at leisure, as all things were made comfortable for his reception, etc. 17th November, <i>circa</i> 1710, | 273 |
| 489. The Same to the Same, as to Robinson's accounts. 8th April, <i>circa</i> 1711, | 274 |
| 490. The Same to the Same, further about the same accounts. 4th August, <i>circa</i> 1711, | 275 |
| 491. The Same to the Same, regarding a proposal that Watt Laing should go to London to impart information about certain matters of interest. 27th February, <i>circa</i> 1712, | 276 |
| 492. The Same to the Same, as to her tenants; proposal as to Watt Laing, etc. 20th March, <i>circa</i> 1712, | 277 |
| 493. The Same to the Same, as to her son Francis being served heir; a house for her in Edinburgh, etc. 7th August, <i>circa</i> 1712, | 278 |
| 494. The Same to the Same, further about Robinson's accounts. 2d October 1712, | 278 |
| 495. The Same to the Same, inquiring when the Earl of Cromartie was coming to London; also complaining of the slowness of the lawyers in Robinson's business. 13th January, <i>circa</i> 1713, | 279 |
| 496. The Same to the Same, complaining of a decree in the courts of law. 17th May, <i>circa</i> 1713, | 280 |
| 497. The Same to the Same, as to a contemplated purchase, and other business. 12th September 1713, | 280 |
| 498. Simon Lord Lovat to George first Earl of Cromartie, interceding for the promotion of Lord Haddo, expressing conviction that the latter could creditably fill the position referred to. 12th July, <i>circa</i> 1711, . . . | 281 |

| | Page |
|---|------|
| 499. The Same to John nineteenth Earl of Sutherland, asking for a protection for the McCraes, which would be useful in hindering Seafort's people from a new rising; and giving an invitation to dinner at B. Dunbar's house in Inverness. 19th January 1716, | 282 |
| 500. The Same to John second Earl of Cromartie, stating that he had prevailed with Major-General Wightman to write to General Cadogan that he might be allowed to set his Lordship and Inchcouter at liberty on bail or parole of honour, since no actual rebellion had been proved against them. 24th March 1716, | 283 |
| 501-510. Ten letters from Simon Lord Lovat to George third Earl of Cromartie. | |
| (1.) In the first he states that but for indisposition he would have visited Castle Leod before now, bringing with him a noted sword belonging to Sir Rory [Mackenzie], tutor of Kintail. 3d July 1739, | 284 |
| 502. (2.) Expressing high pleasure in anticipation of his Lordship's visit. 6th July 1739, | 285 |
| 503. (3.) After referring to an aguish fever which he got from cold at Fort Augustus, he expresses his hearty sorrow that his Lordship's tenants were harassed by the cursed thieves and villains that lived in Glenmoriston, Glengarry, and other thievish countries, referring especially to Alistair Scholar, "one of the greatest thieves in the Highlands," who had taken four or five parcels of cattle out of Lovat's own country, but always escaped to Turridon in Kenlochow; whom, however, he hoped yet to have by the neck and send to his Lordship. 18th October 1739, | 285 |
| 504. (4.) Earnestly desiring information as to the Countess of Cromartie's health, who, he understood, was dangerously ill. 27th May 1740, | 287 |
| 505. (5.) Asking him to present Mr. Donald Fraser, tutor to his children, to succeed Mr. Robertson in the parish of Killearnan. 2d March 1743, | 288 |
| 506. (6.) Intimating the birth of a grand-daughter; and repeating his request on behalf of Mr. Donald Fraser, since the parishioners of Killearnan were favourable to him. 8th July 1743, | 290 |

| | Page |
|--|------|
| 507. (7.) Referring to a slight which the Earl of Murray had put upon him by not calling on him; a letter from Lochiel in Edinburgh, where they expected great news soon, etc. 14th September 1743, | 291 |
| 508. (8.) Stating that the Earl of Morton had visited him in a very civil manner; also my Lord President, my Lord Gerless, my Lord Seaforth, and others, had visited him and shown him attention, etc. 4th October 1743, | 294 |
| 509. (9.) Regretting his Lordship's illness, and despairing of seeing the Countess at his house as the cold season was approaching, etc. 7th October 1743, | 295 |
| 510. (10.) Expressing the utmost anxiety for his Lordship's health. 22d November 1743, | 297 |
| 511. Simon Lord Lovat to Isabella Countess of George third Earl of Cromartie, expressing his consternation at the news of the Earl's being at the point of death; and entreating her Ladyship to send speedy information of his condition. 26th November 1743, | 298 |
| 512-520. Nine letters from Simon Lord Lovat to George third Earl of Cromartie. | |
| (1.) In the first he expresses his very high satisfaction at the intelligence of his Lordship's recovery; that he was to send his son to St. Andrews that week, etc. 28th November 1743, | 300 |
| 513. (2.) Informing him that a six months' sickness had prevented him from writing, and expressing much interest in his Lordship's improving health. 14th June 1744, | 302 |
| 514. (3.) Expressing very deep regret at not having had it in his power for some months to visit his Lordship, one reason of the hindrance being a continued speat in the river Beaully; stating his resolution to maintain his integrity and his principles, whatever changes took place. 9th January 1745, | 304 |
| 515. (4.) Referring to a great snowstorm on the Strath of the Aird, from which the cattle had suffered greatly, and even a great many of the | |

| | Page |
|--|------|
| people were sick in consequence of it; attributing his own good health, under Divine Providence, to his taking a cold bath daily. 4th February 1745, | 306 |
| 516. (5.) Congratulating his Lordship on the safe delivery of the Countess; promising to pay a visit as soon as he could cross the river with his chariot, etc. 25th April 1745, | 308 |
| 517. (6.) Asking him to grant to Redcastle the latter's proportion of the vacant stipends of Killearnan, which were in his Lordship's gift; visit of the Lord President and others, etc. 30th April 1745, | 309 |
| 518. (7.) Expressing a fear lest his Lordship, from sitting with him to a late hour on a recent occasion, may have sustained injury to his health, with expressions of attachment to his Lordship and his charming family, etc. 22d June 1745, | 311 |
| 519. (8.) Stating that owing to indisposition he had been unable to visit his Lordship; Lord Lovat is satisfied that his son pleases his Lordship; states that his son had taken a military freak, and was going, whether he would or not, with all the name of Fraser that were fit for it, to join the adventuring Prince, which deeply affected him, because his son was the darling of his soul; and hoping they would never differ in politics, etc. 17th October 1745, | 312 |
| 520. (9.) Referring to a night's merriment at Brahan; and intimating that a gentleman from the South was desirous to pay his respects to his Lordship as soon as it could be ascertained where his Lordship would be found. 26th October 1745, | 314 |

ABSTRACT OF THE CROMARTIE CHARTERS.

- Page
521. Letters by Pope Alexander IV., following on a representation and petition by the Bishop and Chapter of Ross, whereby his Holiness confirmed what the Bishop had done in prosecution of the powers conferred by Pope Gregory IX. on Robert Bishop of Ross, his predecessor, for improving the ancient prebends of the church of Ross and creating new ones, by allocating among them, in addition to the teinds of Rosemarkie and Cromartie, the following, under certain exceptions, viz. : To the deanery, the teind sheaves of Ardersier and South Kilmuir : to the chantry, those of Kilmuir and Tharuedale : to the chancellery, those of Suthy and Kenneythes : to the treasury, those of Urquhart and Logybride : to the archdeaconry, those of Fodderty and Edirdore ; to the sub-deanery, those of Tain and Edderton : to the sub-chantry, the church of Bron and the teind sheaves of Inveraferan : and to the Bishop's prebend, the teind sheaves of the churches of Nigg and Tarbert : the teind sheaves of Clone and Lempnelar to one prebend : those of Rosskeen and Newich to another : those of Avach to the Abbot of Kinloss's prebend, when he should hold one in that church, etc. The letters also confirm certain ordinances by the Bishop relating to the appointment of the clergy in the churches within the diocese of Ross,—the constitution of the church of Sarum being taken as a model, and to the regular attendance of the canons and vicars at their respective churches, and the correction of any irregularities that might arise on the part of the clergy or their servants, the canons to be corrected by the Bishop, the vicars by the Dean or Sub-Dean, whom failing, or in the event of an appeal, by the Bishop, etc. Dated at Viterbo, the iii before the Ides (*i.e.* 11th) of June 1257, . . . 315

- | | Page |
|--|------|
| 522. Notarial Transumpt (made 7th April 1511) of a Charter by William Earl of Ross, son and heir of Hugh Earl of Ross, to Adam of Urquhart, son of William of Urquhart, for his homage and faithful service, of the whole land of Incherury in Ross, with its pertinents : To be held by the said Adam and his heirs, of the granter and his heirs, in feu and heritage, for payment of one penny sterling in name of blench farm, at Whitsunday yearly, at Incherury, if asked, and rendering three suits at the three chief pleas of the granter's court of Kunardy, with the King's forinsic service pertaining to the said land. Dated at Dingwall, the day after the feast of St. Michael the Archangel (30th September) 1338, | 317 |
| 523. Charter by Adam of Urquhart, laird of Incherore and sheriff of Cromartie, confirming to God and the Virgin Mary, and to a chaplain celebrating divine worship in St. Mary's Chapel of Inchrore, for the souls of William Earl of Ross and his parents, and for the souls of the granter and his parents, and of all the faithful dead, five merks of annualrent from the land of Inchrore, with a croft of land, called the Brew-house croft, in the territory of Inchrore, with a suitable site in the town of Inchrore for a sufficient manse to the said chaplain, and with sufficient pasture on the land of Inchrore for one horse, twelve cows, one bull, and eighty sheep, and with fuel for the chaplain's use ; to be held of the granter and his heirs in pure and perpetual alms, as freely and honourably as any annualrent and eleemosinary churchland in Scotland was held ; reserving to himself and his heirs the right of patronage of the said chapel. Dated at Lulcaldrum, 18th February 1348, | 319 |
| 524. Confirmation by King Robert II. of a Grant by William Earl of Ross to Hugh Harper, of the land of Inchefure, within the dominical land of Dalgeny, in the earldom of Ross : To be held by the said Hugh and his heirs, of the said Earl and his heirs, in feu and heritage for ever, as freely and honourably in all respects as the charter granted by the Earl to the said Hugh bore. Dated at Edinburgh, 8th April 1371, | 320 |
| 525. Transumpt (made 30th May 1395) of a Charter by Euphemia Countess of Ross to John Comyne, for his homage and service, of a | |

whole davach of the lands of Pollane, with its pertinents, with Eister Seton, mill and brewhouse thereof, with the Wilkcroft and common pasture within the dominical lands of Delgny, and with Parkhill, Rowynis, and Fortre, within the shire of Inverness: To be held, with the inhabitants and natives thereof, by the said John and his heirs in feu and heritage for ever, of the granter and her heirs, for rendering to them yearly three suits at their three head courts to be held at Kynardy, in the shire of Inverness. Dated at Dingwall, 14th March 1381, 321

526. Transumpt (made 8th October 1487) of the verdict of an assise proceeding on the narrative that in a court held at Dingwall, the procurators of Andrew of Terrell, who had been cited to produce the evidents by which he claimed to hold his tenement of Terrell, declared that the said Andrew's charter had been destroyed by fire in the church of Tarbert, but that John Boner, his predecessor, had been infeft heritably in the said lands of Terrell by feu-charter from the deceased William Earl of Ross, father of Hngh Earl of Ross, for his homage and service, with three suits of court yearly at the three principal Courts of the Earldom of Ross, and for rendering to the Earl and his heirs three merks yearly at the usual terms; and that the said William Earl of Ross granted heritably to the said Andrew of Terrell and his heirs, by feu-charter, the said three merks, together with ten shillings yearly to be uplifted from the town of Eisterharde: all which allegations above narrated the assise found to be true. Dated at Dingwall, 4th March 1382, 322

527. Charter by the bailies and community of Cromartie, to John Rebayn, Thomas Basok, John Finlayson, and Gilbert Williamson, of all the land then in moor lying between the ditch of Metheisfeld on the east, and Gelyanidsen on the west, and from the head of the Medylwode on the north, to the highway towards Dauiston, to be brought under cultivation as far as could be done by coulter and ploughshare: To be held by the said persons and their heirs and assignees from the granters, their heirs and assignees, for ever, while an heir of the four was alive,

as freely as they themselves and their predecessors held the same, for payment yearly only, after the lapse of three years, of ten shillings usual money of Scotland. Dated 18th October 1449, . . . 324

528. Charter by the burgesses and community of Dingwall to Sir Thomas of Dingwall, treasurer of Caithness and prebendary of Kilmore, and his heirs and assignees, of the site of their mill and the mill built thereon, lying near Robert of Munro's bridge over the Peffery, on the north of the said burgh, with the toft thereof, and a croft of two roods between which the water now flows to the said mill: To be held by the said Sir Thomas, and his heirs and assignees, from the granters and their successors, in feu and heritage for ever, as freely and honourably as any mill with toft and croft in the realm of Scotland was granted or possessed, for benefits conferred. The charter also grants power to the said Sir Thomas and his foresaids to place a miller in the said mill as often as it should appear to them expedient, and confers the same freedom which the granters enjoyed in burgh, with pasture for twelve cows, two horses, and thirty sheep, with their young, and free ish and entry for pasture and fuel: the granters binding themselves and their successors never to build another mill within the freedom of the said burgh for ever, and that they would not go to another mill with their grain, unless in consequence of defect of service; and to give the seven-teenth measure of their grain which was called "the fat," and to wait with their victual at the said mill until each of them was served in turn, etc.; the said Thomas and his foresaids paying therefor one penny in name of blench ferm at Whitsunday, if asked. Dated at the said burgh, 4th October 1451, . . . 325
529. Charter by the burgesses and community of Dingwall to the foresaid Sir Thomas of Dingwall, in excambion for the lands of Brakaynorde and two parts of Coyt Reyvis, and for other benefits conferred upon them, of that piece of land formerly called Bog Monroy, but now Bensort, in the territory of the said burgh, between the water of Peffery on the north, and the mill lade on the south, extending towards the entrance of the lade of Peffery near the ancient march of Fothirdy

- | | Page |
|--|------|
| toward the west, etc. : To be held of the granters and their successors, in feu and heritage and free burgage for ever, for payment yearly of one penny in name of blench farm, upon the ground of the said land, at Whitsunday, if asked only. Dated at the said burgh in the chief Court held immediately after Easter, 1454, | 327 |
| 530. Confirmation (dated 13th October 1457) by King James II., of a charter by Thomas of Dingwall, sub-dean of Ross and burgess of Dingwall, to Thomas of Dingwall, his cousin, of all lands, possessions, and annual-rents held and to be acquired by the granter in the burgh of Dingwall and territory thereof, together with the mill of Dingwall : To be held by the said Thomas and his lawful heirs-male ; whom failing, by John of Dingwall, his brother-german and his lawful heirs-male ; whom failing, the said lands, possessions, annual-rents, and mill to revert to the worthiest person of his surname and his heirs, for rendering yearly for each perticate of land lying in the burgh of Dingwall, the royal farm-duty, viz., fivepence, and for the rest paying in terms of the charters thereof made to the granter. Dated at the burgh of Dingwall, 3d October 1456, | 328 |
| 531. Charter by John Munro of Foulis and the bailies, burgesses, and community of Dingwall to Sir Thomas of Dingwall, sub-dean of Ross, and his heirs and assignees, of a piece of their common land lying between the land of the said Sir Thomas in the Bog toward the north, near the ancient course of the mill lade on the one part, and the new mill lade on the south : To be held by the said Sir Thomas and his foresaids, of the granters and their heirs and assignees, in feu and heritage for ever, as freely as any other part of the Bog, then called Bensort, was granted in the charter made thereupon. Dated at Dingwall, 30th June 1458, . | 330 |
| 532. Precept by John of Yle, Earl of Ross and Lord of the Isles, for infefting Sir Thomas of Dingwall, sub-dean of Ross, the granter's chamberlain, in liferent, and Thomas of Dingwall, younger, and his heirs, in fee, in the lands of Inchefur with their pertinents, on the resignation of the said lands into the granter's hands by Robert Johnson, laird thereof. Dated at the Manor Place of Delny, 18th February 1462, . | 331 |

- | | Page |
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| 533. Charter by John of Yle, Earl of Ross and Lord of the Isles, to his native esquire Donald Corbatt, of the lands of Easter Arde, in the earldom of Ross and shire of Inverness, which formerly belonged heritably to John Tulloch, and were resigned by him into the granter's hands : To be held by the said Donald and his heirs ; whom failing, by Margaret Corbate, daughter of the said Donald, and her heirs by the foresaid John Tulloch, of the granter and his successors, Earls of Ross, in feu and heritage for ever, for rendering yearly to the Earls of Ross three suits at their three head courts to be held at Kynnardy, only. Dated at Tain, 12th April 1463, | 331 |
| 534. Charter by Thomas of Dingwall, younger, laird of Kildone, failing lawful heirs-male of his own body, to his brother-german, John of Dingwall, and the lawful heirs-male of his body ; whom failing, to Alexander of Dingwall, also his brother-german ; whom failing, to William of Dingwall, also his brother-german, and the lawful heirs-male of their bodies respectively ; whom all failing, to the nearest honourable and powerful person of the surname of Dingwall succeeding by heritable right in the order of male succession, and his heirs-male, of the granter's burgal lands of the town of Dingwall, the mill thereof, the Bogy, his lands of Kildoune and Owsye, with two parts of the town of Arkeboll, and all and sundry other lands possessed and to be possessed, with the right of presentation of chaplains and freedoms of burghs, etc., as freely as any lands were held by heritable assignation within the realm of Scotland. Sealed with the common seal of the town of Dingwall, and the seals of the bailies thereof, at Tain, 27th October 1466, | 333 |
| 535. Charter by Thomas Legat, bailie, with consent of the whole community of the burgh of Cromartie, to John Finlayson, burgess of the said burgh, of a portion of uncultivated land, bounded as therein described, to remain free from payment of farm duty by the said John, for the first four years, in consideration of his labours and expenses ; he and his heirs afterwards paying yearly forty pence of farm duty to the community and common purse of the burgh : To be held by the said John and his heirs, substitutes, and assignees as freely as any land in any burgh within the realm of Scotland. Dated at Cromartie, 2d November 1467, . | 334 |

536. Testimonial of Sasine in favour of Finlay Michelsone, indweller at Wester Rarethe, of the half of all the lands that belonged to Thomas Red, burgess of Cromarty, situated within the burgh and outside of it in the town of Nevatye, with the half of the buildings and manor places built and to be built thereon, viz., one oxgate in Nevatye, five roods of land upon the "nesche" of the said burgh, one rood between the town cross and the sea, two roods within the burgh between the lands of Sir Alexander Spens and the "flumen marinum," two roods between the burns from the east townhead of Cromartie, and a rood and a half in the Laidcattath. Dated 16th August 1476, 335
537. Testimonial of the Sasine given by David Denoune, bailie of Cromarty, to Annette Makaye, wife of Finlay Michelson indweller at Wester Rarethe, in liferent, of an oxgate of the lands of the town of Nevatye, with a rood of the burgh lands of Cromarty belonging heritably to John Taylor, by delivery of earth and stone in terms of the charter thereof made to the said Annette. Dated 4th July 1478, 336
538. Instrument on the protest, made in presence of John Ross of Balnagown, on behalf of William M'Teyr, by Thomas Waus, his procurator and father-in-law, wherein he declared that Sabbath the 27th February had been peremptorily assigned to him by Angus M'Culloch of Pladdis, for exhibiting the charter of the said William M'Teyr, of the quarter lands of Achnapladd; and that he had compeared on the said day and requested the notary to accompany him to the usual place of the court near Scarde, which he did, and read the charter, when delivered to him by the said Thomas; after which the latter solemnly protested that although in times past the said William M'Teyr was wont to compear at the head courts of Angus M'Culloch and his predecessors, he did this of his own free will, and that it should in no wise prejudice him or his heirs in time to come, as he had never been bound by his charter to compear. Done at the usual place of court, near Scarde, 27th February 1483, 337
539. Charter by William Scott of Balwery, superior of the lands of Kilgour, to John Ramsay, son of George Ramsay of Corstone, of all the

| | Page |
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| lands of Kilgour in the shire of Fife, which belonged heritably to William Menteth, and had been resigned by him into the granter's hands : To be held by the said John Ramsay, and his heirs and assignees of the granter and his heirs, in feu and heritage for ever, for rendering yearly the serviee due and wont only. Dated at Balwery, 2d February 1484, | 338 |
| 540. Preecept by Donald Corbate of Estyarde, with consent of Megote Caldor, his spouse, to Alexander Denoune of Davistown, his bailie, for infetung John Corbate, his son and apparent heir, and his heirs and assignees, in the west third part of his lands of Estyarde. Dated at Estyarde, 13th November 1488, | 339 |
| 541. Testimonial of the Sasine given by Angus McCulloch of Pladdis, bailie superior of the town of St. Duthae of Tain, in favour of Marsella Maktyre, daughter of William Maktyre of Innerathy, of the lands of the town of Innerathy in the immunity of Tain, formerly possessed by the said William Maktyre. Dated 6th July 1489, | 339 |
| 542. Charter by John, son of William Robertson, burgess of Cromarty, to John, son of John Simson, and his heirs and assignees, of half an aere of land lying in the Harde Hyll, bounded as therein described : To be held of the granter and his heirs and assignees for a certain sum of silver that had been paid to the granter in his pressing and very great necessity. Dated at the said burgh, 20th November 1490, | 340 |
| 543. Testimonial of the Sasine given by John Donaldson, bailie of Cromarty, to John, son of John Symson, of half an aere of the lands belonging to John, son of William Robertson, lying in the Harde Hyll, bounded as therein described, in terms of the said John's charter thereof. Dated at the burgh of Cromartie, 20th November 1490, | 341 |
| 544. Testimonial of the Sasine given by John Clunes, bailie of Cromarty, to Marjory Anderson, in liferent, of the north half of the tenement belonging to Janet Williamson, with the north half of the said Janet's aere of land, lying in the Layglendis. Done at the burgh of Cromarty, 20th May 1494, | 341 |

545. Transumpt (made 10th September 1524) of Instrument of Sasine, proceeding on a precept from James Archbishop of St. Andrews and Duke of Ross, for infefting Donald of Ilis, son of Alexander of Ilis, Knight, as heir of his father, in the lands of Lochalche, Kischrin, Lochcarron, Lochbrene, Feryntosky in Braychat, with the pertinents, and in the fishings of the Water Kelzeisokell within the dukedom of Ross, and shire of Inverness, which were held in chief of the granter. The precept is given under the Archbishop's seal at Stirling 3d, and the instrument is dated 27th, February 1499, 342

[The Instrument narrates that sasine of the said fishings was given by delivery of "sand and water ;" and that when the bailie-depute and notary were preparing to cross the water to give sasine of the land of Ferintosky in Braychat, a number of ill-advised persons, in a threatening manner, with arms in their hands, rose up from the opposite side of the water to prevent them from effecting their design, calling out that if they crossed for that purpose they should never return, etc.]

546. Extract-Decree of the Lords of Council, decerning the Charter by the Burgh of Dingwall to Thomas of Dingwall, of the place of their mill and mill beside the Bridge of Robert Monro upon Peffery, dated 4th October 1451, No. 528, *supra*, to be authentically doubled and transumed. Dated 27th July 1626, 345
547. Patent by King James the Seventh of Scotland, creating Sir George Mackenzie Viscount of Tarbat, Lord Macleod and Castlehaven. The Patent is granted for the many signal services rendered by him in the office of Clerk of Council, Register and Rolls, and for his unshaken loyalty. Dated 15th April 1685, 348
548. Translation of the foregoing Patent, 350
549. Patent by Queen Anne, creating George Viscount of Tarbat, Earl of Cromartie, Viscount of Tarbat, Lord Macleod and Castlehaven. The Patent is granted to him while Principal Secretary of State for the kingdom of Scotland, in consideration of his constant fidelity and affection to the Queen's person and Government, and recounts that he had

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| | acquitted himself with the greatest honour and fidelity in divers offices and appointments entrusted to him by five of Her Majesty's royal predecessors. Dated 18th September 1703, | Page 351 |
| 550. | Translation of the foregoing Patent, | 352 |
| 551. | Warrant by Queen Anne for a Patent, creating George Viscount of Tarbat, Earl of Cromartie, etc., 1st January 1703, | 354 |
| 552. | Warrant by Queen Anne for a Patent creating Kenneth Mackenzie, second son of George Earl of Cromartie, a Knight-Baronet, proceeding on a resignation by his father, 29th April 1704, | 355 |
| 553. | Diploma to Mr. James Mackenzie, son of George Earl of Cromartie, of the title of Knight-Baronet, 8th February 1704, | 359 |
| 554. | Letters Patent by Her Majesty Queen Victoria, creating Her Grace Anne Duchess of Sutherland, Countess of Cromartie, Viscountess Tarbat of Tarbat, Baroness Castlehaven of Castlehaven, and Baroness Macleod of Castle Leod, 21st October 1861, | 360 |
| 555. | Warrant by Queen Anne for an Exoneration and Indemnity to George First Earl of Cromartie, 13th May 1704, | 376 |

THE
CROMARTIE CORRESPONDENCE
CONTINUED FROM THE YEAR 1706.

254. GEORGE FIRST EARL OF CROMARTIE to [JOHN EARL OF MAR].¹

Edenburgh, 1st January 1706.

MY DEAR LORD,—As yet your Lordships letters have availd little more then herr Majesties former letters, and that is nothing to your servant. But of this too much. My Lord, I have spok conclusively, that is, to the minimum of Royston, and very farr below the value, with the D[uke] of Q[ueensber]ry ; so when he arrives, be pleased to lett me know, for a long suspence will be hurtfull.

On this new year day, many happy yeares are wished by me (and I am sure by many Scotsmen) to yow and your family, and (as that which I think Scotland's cheeff politick good) to ane intire vnion with England,—I doe not mean without provisions and exceptiones—that were ridiculous for both—but in substantials, that both head and body might be one politick body. Vnless wee be a part each of other, the vnion will be as a blood puddin to bind a catt, *i.e.*, till one or the other be hungry, and then the puddin

¹ Original Letter in Mar Charter-chest.

flies. God give all of yow prudenece, wisdome, and honesty, and Brittish minds. May wee be Brittaines, and down goe the old ignominious names of Scotland, of England. Seot or Scotland are words not known in our native language; England is a dishonorable name, imposed on Brittaines by Jutland pirats and mercenaries to Brittaines, usurping on their Lords. Brittaines is our true, our honorable denomination. But of this more, perhaps, heerafter. My Lord, your eare of your poor coosine, the Lady Duffus, was honorable. As in all shipwraeks, freends as weel as strangers gather the wrecks, so it is with many when our litle britle barecks breaks. My Lord, if yow please, it were (tho in a small matter) fitt that your Lordship would gett a gift, blank in the person, and send it down to be fill'd up, after treating with all eonernd (I mean the lady and herr sonnes), and to be deliverd by those yow intrust it too after eomuning, and so that the poor widow be not hurt. I have this night writt another letter to your Lordship, by Major Sinclair, of other purposes, but that will be longer of comeing to hand then this. Only (if your Lordship please) lett that Madagasear ly untill the D[uke] of Q[ueens-berry] come up. Wee are in quiet, and will be till next parliament and view of your treaty. Some wold gladly seem great springs in that operation, who will perhaps be but litle mortals as others on that occasion. I wish yow great ones doe and conelude right, and then shame fall them who concurs not with yow. Nay, I owne, if my privat mortal enimies make a good treaty, I am on their syde; and if yow doe wrong, I will not joine, and that is very small news. My Lord, I am not brib'd now by the ministry. I did proeure a comission to one to be the Queens seletter. I did not exaet a farthing for it, but I would not deliver it untill the overseers of the Queens works were satisfied with the man. So I kept it untill he so farr did take of that objection that, without comission, the treasury imploy'd that very man; so now I gave him the comission. But their Lordships stopt it, they say,

because it was of ane old date. I tell why—but the true cause was, that it was procured by, my Lord,

Your faithfull humble servant,

CROMERTIE.

Will your Lordship be pleased to cause deliver this letter to the D[uke] of Marl[borough] from his old freend.

255. THE SAME to [THE SAME].¹

12 January 1706.

MY LORD,—The lords of justieiar have represented the very low salary that is allowd to Mr. Baird, the deput under-clerk of that court, who indeed undergoes the whole fatigue and trouble of that clerks office. It is the court which yeelds litle or no perquisites: in short, its wonderfull that the Queen payes so much to the clerks of the other sovereign courts, whose perquisites are good fees, and so very litle to this whose travel is great; and yet his whole service is for the crowns immediat serviee and interest. He wishes and hopes, and wee concerne in the court doe intreat, your Lordships favor and assistance to his just desyre. My Lord, be the tyme this comes to hand, I presume the D[uke] of Q[ueensber]ry will be at Court, and its probable that busines will be then enterd to. I will not officiously intrud on the higher and great effairs, but I will seriously wish for good intentions, solid measurs and mediums, and good success, as earnestly as if I were the first minister, or more; and since I did and doe think ane vnion a cheeff mean, I pray for it. I will not obtrude to say what kind, what mode, of vnion—that I submitt to better judgments—if it be in way of federation (so it be good and sure), or ane ineorporating (which I think can hardly be bad or unsure),

¹ Original Letter in Mar Charter-chest.

so it effectuat a solid peace, affection, and proportionable advantages, by peace, trade, or in warr, to all the parts of the isle. Then, whate're parties or persons doe manage and cary it on, they have my best wishes, and shall have the litle share of rewards that my capacity can afford, without respect of persons or parties, and then I hope that wee shall be all one man's bairnes. But, my Lord, allow me to forwarn yow that few will be satisfied if any intend to impose appareance or shamm for true ware: and that this is feard, and on severall accountts, I doubt not but your Lordship knows, and that from better informations then I can give, since I search litle in other mens thoughts. Whatever yee doe, I wish it may appear profitable, honorable, and secure, for successe in it, and of that nature, with all prosperity to our excellent Queen, and honor to yow in your present post, untill yow change it for a better, is sincerly and earnestly wished by, right honorable,

Your most humble servant and faithfull freend,

CROMERTIE.

256. [THE SAME] to THE SAME.¹

15th January 1706.

MY LORD,—The Lord Advocat desyred to speak with me on the matter of that shipp seized by my depute. He wonderd wherat I scrupled, the shipp beeing above twelue dayes in the French possession,—since the beeing so for two dayes and two nights made herr undoubted prize; that the 10 parts belongd to the Queen, fyfteen parts to me as admirall, and the rest to these who seized herr, whither on land or sea; and that I needed not to have troubled the Queen for it, except it were for herr Majesties ten parts, which shee might dispose of at pleasure; and he told me that this he would expressly

¹ Original Letter in Mar Charter-chest.

writt to your Lordship by this or next post. So, my Lord, if the Queen please to dispose of herr ten shares to me, I will humbly thank her Majestie and the procurer; if not, herr pleasure gives law in that. But as to the Lord Glenurchies pretence, it hath no foot to stand on; for I doe not think it just for him to ask mine nor the seazers right; and if the Queen give herr dues, it is a way to make all adjacent landlords to pretend to the royalty, and to give to him who hath nothing to doe with the office of admiralty, nor did any there ever pretend to it. I will dutifully goe on according to law, and wait to know herr Majestys royall pleasure how shee will have me to dispose of herr shares. Wee are all heer in expectation of the preliminaries of our treaty with England, and with different views and wishes. I am *semper idem*, i.e., for a full incorporating vnion; and will be so untill I be perswaded in reason that some sort of federall vnion will be better, or at least as good. And I am ready to give my reasones for the one, or against what I think would impose on our reason, or be destructive to our interest; and I find many doe come over to that opinion which I am for, since they see that ane incorporating vnion gives us liberty and latitude for our trade with England and all its territories, and so gives vent to our product and what wee manufacture (which now wee want), and will also secure the samne; since, when wee are one with them, and indeed of them, and they with us, and that by it the comon stock will be greater and our force stronger, and the hopes of dividing us from England, or to have hopes of our assistance against England, will be secured. But by the romantick federall vnion, it will never be granted by England so as to give us as large a share of their trade (that is, of their riches and power) as wee can take, and which in probability will be such as will soon raise envy in them, and soon break that chaine wherby wee hold it, evn tho it were ane act of parliament. But when wee are they, and they are wee, there is no fear, nor is their a politick possibility to found invitations to divide our selfs againe. Wheras, by

the whim confederacy, so soon as England sees that wee on many accounts can furnish their plantations cheaper then they can; when they see that wee can carry the product of their terr[i]tories to all other countries, and sell them cheaper there, yea, and in England itself—on sight, they will blow up your confederacy and all its other supports, tho it were ane act of parliament 1706; for ane act of parliament 1709 is as able to take it of as the other to frame it, for *par in parem non habet imperium*. They may, indeed, judge English men fools for granting these priviledges, if it was with intention to keep them, and think Scotsmen fools for trusting to their stability. And as to the grand topick, viz., that Scotland will be the extremity of the new moulded kingdome, *ergo*, must be for ever poor. Now, in place of reasoning against the theory of the position (which I think a very easy task), for the cause of riches lyes not at all in that of distance, but evry place will be rich (ly where it will), where ether native product or industrious citizens shall be found: but since e[x]perience is the best rule of politick judgment, examine their conclusion from their premiss;—thus, Newcastle, Bristol, Harwich, and Exeter, are farther then Rochester, Windsor, Bedford, Huntington, etc., from London: *ergo*, they are richer then the former. Item, Lions, Marseils, Bourdeaux, Rowen, are the remotest, at least farr more remote then most others in France are; *ergo*, they are beggars. Item, Riga, Renel, Nerva, Carlostad, are farthest from Stockholm. Item, Cadiz, Barcelona, Bilbo, are so in Spaine; and Bergen in Norway from Copenhagen. These experients may downweigh a pretty framed syllogism. But, my Lord, the arguments are not the formidable enimes in this warfare. But I will not now name them, in hopes that they will be ashamed to muster up self designs, imaginary notions, present small gaine, etc., to attack their country, their posterity, and Brittannia, in all its essentials. My dear Lord, I assure you that I am for vnion, and am

Your Lordship's most humble and most faithfull servant.

My Dear Lord

wh. but I was forward I thought
it duty, & so went over the hazard of exposing
my sentiments of affairs & the causes of by gone
days, but out of that station, is in a far
different circumstance from those who arm &
and perhaps good intentions & candor, may prove
silly defenses against wrested sense of words
or actions; when advisers will adventure to
call errors, honest; this hath moved me to write
both to Her Maj. & to my L^d Treasurer, to
be pleased to send me such and exact other
of my representations or schemes, & if they give
them to y^r L^d & if you be at the trouble to
review & return them, it will be most oblige
ing on

Light Honorable

Your L^{ts}

Most obedient &
Faithfull servant

Cromwell

29 January
1706

My Lord, poor David Cosky, who is driven to great straits, hath sent up his wife to plead justice and to beg mercy. My Lord, he was, and yet is, the best fowler and troutner in Scotland.

To the right honourable the Earle of Mar, principall secretare
of state for the kingdome of Scotland,—London.

257. THE SAME to [THE SAME].¹

24 Januar 1706.

MY DEAR LORD,—Whilst I was secretare I thought it dnty, and so went over the hazard of exposeing my sentiments of affaires and the causes of by gone evils. But one out of that station is in a farr different circumstance from those who are in it, and perhaps good intentions and candor may prove silly defences against wrested senses of words or actions, when adversares will adventur to call eares, hornes. This hath moved me to writt both to her Majesty and to my lord treasurer. So be pleased to send me such [as] are extant ether of my representationes or scheams; and if they give them to your Lordship, and if yow be at the trouble to receave and return them, it will be most oblidging on, right honorable,

Your Lordship's most obedient and fathfull servant,

CROMERTIE.

All the recomendations for the paying of my dear bought bypast dues are hitherto all ineffectuall.

I have writ to D[uke] Q[ueensberry] as to Madagascar.

¹ Original Letter in Mar Charter-chest.

258. THE SAME to [THE SAME].¹

Edinburgh, 16 February 1706.

MY LORD,—The litle value which I find is put on me shall not diminish the just sentiments I have of your Lordships kindnes in concerning your self so much for my litle concerns. Should I by my intreaties offer to make them yett heavier on so willing a freend, I shall pay too great a price for what I desyre ; and I thought it was so much supported by justice as to fancy the desyres such as were nott [to] be denyed, I mean of what (if I did not work for as secretare), yett I too dearly payed for all I craved. As to the ship, my Lord, give your self no more trouble about that. The Queens part will not be great, mine is less as deput admirall on the place, and I intend it for the poor of the parish. The rest belongs to salvers and seazers, and it will be litle, the victuall being much damn[a]ged and not esteemd of in Scotland. I thought it had been worth asking, but herr Majestys advocat and other lawiers sayes it will be thus, viz., the tenth part to the Queen, a fyfteenth part to the admirall ; the rests falls to salvers and seazers ; and the admirall court ther I hear have judg'd so. My Lord, this letter is cheeffly designed to intreat for my poor sister, Seafort, who is driven to a morsell of bread by herr kindnes to herr late sonn. The paper drawn and inclosed will inform your Lordship. The matter of fact is certainly true, and therfor the request most reasonable ; and it will be ane act of charity in herr Majesty to one whose family hath sufferd as much for the royall family more then tenn officers and pensioners have, or then had to suffer. Whats desyred is so frequently granted, beeing a second gift of eshett, and for regaining a cautionry. I have troubled the chancelor and Earl of Lowdon with doubles of it. My Lord, I crave pardon for this trouble

¹ Original Letter in Mar Charter-chest.

given yow, but it is to one who hath the honor to be many wayes related to yow, and allow my adding to these the earnest suit of, my Lord,

Your Lordships most obedient and most faithfull servant,

CROMERTIE.

259. THE SAME to [THE SAME].¹

16 February 1706.

MY LORD,—Whilst I was secretar I never begd place nor pension to child nor relation of my owne ; but now I adventur to intreat that, if a new regiment be to be levied, or if occasion offer fairly, that your Lordship would gett Johne Stuart,² sonne to the late Lord Balcasky, a pair of colours. He is a pretty young fellow, is a cade[t] in the regiment of guards, minds to follow that trade, and may live to serve the Queen and your Lordship. I am, right honourable,

Your Lordship's most humble and faithfull servant,

CROMERTIE.

260. THE SAME to [THE SAME].³

9 March 1706.

MY LORD,—I presume long letters cannot be very pleasing to yow, nor needfull, whilst what I am to writt of is so weell known to your Lordship. But this is to put yow in mind of the national and particular concern of Madagascar, which, if delay'd, may losse, and if lost, perhaps Scotland will

¹ Original Letter in Mar Charter-chest.

is given in "The Red Book of Grandtully," vol. i. p. clxxv.

² Afterwards Sir John Steuart, third baronet of Grandtully. His second wife was Lady Jane Douglas. A memoir of Sir John Steuart

³ Original Letter in Mar Charter-chest.

never find so apparent and fitt a fond for a forreign trade. The other thing I crave leave to touch is that of my proposed bargan of Royston. If it be to hold, then the method will be a privat instruction for obtaining the parliaments dissolution of as much of the lands and others of the barronry of Delny and Meddat as will be necessar to purchase 150*l.* rent be year, and convenient house, gardens, and parks, near to Edinburgh, for accomodating a dwelling place to the lord chanceler for residence in the tymes of vacance; that so with the less inconvenience he may attend the crown and nations service, and the bargan therin by excambion or otherwayes to be left to herr Majesty and such as shee will appoint, and that the said lands, houses, etc., be annex'd to the crown, for the use forsaid, in place of these now dissolved. My Lord, I will not trouble yow with my usage in my too dear bought arrears; only, all are payed or satisfied except

Your Lordship's most humble and faithfull servant,

CROMERTIE.

My Lord, allow me to recomend Major Sinclair to your favour, as on who will be found a true, honest, stout man, and a faithfull freend, where he ingadges.

261. THE SAME to [THE SAME].¹

23 March 1706.

MY LORD,—My trouble given on my own account, and the litle success, which my litlnes wherin I now stand haveing rendered me a subject incapable of success, might in prudence stopp me from beeing further urgent in my own concerns; nor will I: yett the bad circumstances of a family wherin your Lordship is concerned (I will not say I am, lest it hurt them), forces me to put your Lordship in mind of a gift of eshett I adventur'd to

¹ Original Letter in Mar Charter-chest.

recomend to you formerly, in favours of Mr. James Sutherland, sonne to the Lord Duffus. None can be more objects of just freendship and of equity then these are. The young gentlman is a worthy person, and hath no other design then indeed to gett aliment to orphans. I presume the gentlman hath writt to you. Another trouble I gave was in the concern of the poor dowager, my sister. Shee hath, by our best lawiers advice, the estate secured in herr person; but shee was so farr from puting herr titles to herr personal behooff that shee never did, nor never intends, to apply mor of it to herr self then silly 4000 merks per annum, which were no great portion for any 3 degrees under herr. Yet shee will need the gift sent up, to defend her evn in that, and shee is content it be restricted to that yea[r]ly. I only remember you of these things at their very earnest request, and on many accounts your Lordship will excuse this intercession by, my Lord,

Your Lordships most obedient and most humble servant,

CROMERTIE.

262. THE SAME to [THE SAME].¹

Edinburgh, 6th Aprile 1706.

MY LORD,—If her Majesty's commands had not obliged me to give information to her when any thing occur'd that might be directly hurtfull to the episcopal clergy as such, I would not willingly have offer'd interruption to any course proposed by those entrusted by her Majesty, lest it might have prejudged her interest in the methods judged fit by them; nor would I have mention'd them to your lordship as secretary if I did not think the case urgent. I had the honor to hear her Majesty say oftner than once that she

¹ Original Letter in Mar Charter-chest.

was graciously resolved to bestow the rents of the bishopricks, as far as law would allow, to support the poor starving clergy of that character. I shall not now touch particulars; but, in the general, I am inform'd by very many concern'd (three or four excepted), that they are in far worse condition than they were at any time since the late Revolution; and to my certaine knowledge as to many, it is so. Nor do I speake without book. I presumed that her Majesty was resolv'd not to divert these rents to laick uses, and to appoint a collector, who, for small sallarys, would carefully manadge the rest to the clergys behoove, and to put it in collectors hands affectionate to that clergy. Yet by new commissions, the sallarys are encreasced, and litle (if any thing) left to the clergy. Her Majesty has my humble opinion in writing as to those matters, nor shall I repeat them. Allow me only to say this (and I humbly desire her Majesty may know it), that it is not her Majestys interest that any be umpiers but such as will be sure to obey her Majesty and follow her inclinations without enmity to the episcopal clergy. But I will prescribe no further, only as to the particular of the Bishop of Moray, who is at once an object both of charity and justice; and so is the worthy Bishop of Edinburgh, Doctor Young, his relict and her children. Her Majesty, as I humbly presume, was resolved to appoint a certain locality for her (which she can not effectually interpose with collectors). My Lord, if you did know their straits, you needed not my intercession to make you their advocate, nor I hope will you now; and without a peremptor order from court, her Majesty may have further trouble with litle success to their starv'd stomachs. If it be her Majesties pleasure, a new order will be necessary to prevent her ruine, tho it were but for an interim untill her Majesty be graciously pleased to consider the whole; and better that any laick should have less emoluments out of church rents than that bishops and bishops wives and their children should starve. When I was in your Lordships station I told her Majesty so; now

your Lordship is. And in a church matter, let me cite a sacred exemple : remember what Mordecai said to Ester. And it is the more favorable that it is the concern of a gentlewoman of good quality that is mentioned by, my Lord,

Your Lordships most obedient humble servant,

CROMERTIE.

263. THE SAME to [THE SAME].¹

9 Aprill 1706.

MY LORD,—This day I receaved your Lordships, dated April 4th. I thank your Lordship for minding so small a person as my poor nevoy Stuart. I hope he may be a man to serve your Lordship and yours. Its much that, beeing mine, he should gett any thing. And I most owne it as ane obligation that my litle relation to Major Erskine and to Captain Vans hath been no hinderance to their advans, and I beleeve it would, were it not the benign relation the one hath to your Lordship, the other to the Earl of Lowdown. But my share of the thanks and acknowledgment to both of your Lordships is not the less. What was desyrd by the Countess of Seafort, nay by herr lawiers, and as they judged no straine; but indeed I doe not understand it. I am glad your Lordship stops what concerns Lord Duffus. It were hard that the Queen should give what shee is not oblidge by law nor justice to give to any but by free grace—I say, to give such a donative against one who is actually in herr service, and in his absence; for ane eshett is what herr Majesty may give to any, but is not oblidge to give it to any. I shall acquaint Mr. Sutherland as your Lordship desyres me. I beleeve a gift to Duple may

¹ Original Letter in Mar Charter-chest.

be of prejudice to the poor indigent children. As to the effair wherein Major Sinclair is concernd, in my opinion, there is no material change in that now desyrd from the other granted, and farr from haveing any other thing of prejudice to the Queen or publick. So I wish to hear of it, after my Lord Stair hath waited on your Lordship. And for the matter of Royston, if it were not the ease and freedom of haveing my owne few duties rather then other payment, no privat man will offer me less price for it then what I proposed. I wish to know if it will doe or not; for a suspence in it is of inconvenience, and hinders my setling of my effairs, which ane old man should not delay. My Lord, I wish the vnion, and a true, effectuall, and no shamm vnion may be establisht. And I hope that tho prudence and honesty should make all Brittain for it; but if they faile, yet necessity and foresight of danger by disunion will force it over the tricks of self-designing opposers. And if I were by the Duke of Marlborough, I would adventur to tell his Grace that, tho no body thinks with more honor of all his great actiones, yet I (with assurance enough) advance not one of them—no, not Blenheim it self—can be of so great advantage to all Brittain, as if he contribut to make that all one. And, for my part, what ever party be for it, I shall be of that party, tho I never as yett stoopt to be of a partie; yea, I will be of it, tho it consisted of my privat enimies. So, wishing a happy conclusion to that treaty, and all happines to your Lordship and family, and with as much and as lasting sincerity as those who can both say and doe more, I subscribe my self

Your Lordships most obedient and most faithfull servant,

CROMERTIE.

My last letter as to the poor clergy was somewhat in passion at their misery, but their case is harder than ever. The Queen cannot be blamd for King Williams deeds, but her own.—C.

264. THE SAME to [THE SAME].¹

18 April 1706.

MY DEARE LORD,—I doe think my self very ill used, and indeed extraordinary ; for these who were in my station before me, with me, and since I left it, are ether payed or transacted with for what was due or given to them by the Queen, only I excepted. I pretend to no extravagant favours, but I am not convinced of deserving punishment. Yett, my Lord, my begging of whats due, tho greivous, but not so much as is my troubling my freends with my misfortunes. I will once more writt a regrate of my usage to the Queen, and therafter be in sullen patience. I am glad to hear that so many in England are for ane incorporation of Brittain ; for federation is not worth the paines, and will be ane Egyptian reed, and will be a mother of future dangers and discords at some unhappy occasion. In the matter of Madagascar I have writt to the Earl of Stair, and so will not trouble your Lordship with anticipating of what he will say. My dear Lord, its said heer that Duke of Queensberrie and Earl Glasgow are to be secretaries, your Lordship colonel of the guards, and Earl Lowdown privy seall and of the treasury. I congratulat yow in the good fortune of the change (if it be true), and in my litle opinion, the Earl of Lowdown hath weel changed too. I hope your Lordship will order John Stuarts ensign-comission to be effectuell to him, and the Earl of Lowdown that of Captain Vans. I think no body wishes the Queen, the nation, the isle, and my freends better then I doe. As to whats good or not, I may be as readily mistaken as any ; for none can think that to be true which does appear to them to be false, nor good what appears to them to be evill : these mistakes are the object of pitty. This may be my case in the matter of the Vnion. I am taken with the incorporating ;

¹ Original Letter in Mar Charter-chest.

and I am so, because I am old and in long experience of slavery, and now of poverty; and I wish to leave the nation free of the first, and at least in the road to leave the other: and I see not deliverance from either without serious vnion, *i.e.*, incorporating; for the other is a jeast, if not worse. Yet I am no slave to any present sentiment, but ready to leave its comand when I see a better fellow. But I most see him or I love him. And when things are dubious, I ever doubt whats asserted by a party or faction (for that hath ever been my auersation); and it, my oppressor, and so to the nation. But I can much rely on the Earl of Marr, because that family hath been so long right that I confide in its honesty, as haveing acquired a thrid and new habit of honesty. The schools know none but whats infused, or acquired by reiterated acts; but that family hath a naturall habit to right, unless some unhappy man interrupt it; from which good God deliver your Lordship and

Your most obedient and humble servant,

CROMERTIE.

265. THE SAME to [THE SAME].¹

Edinburgh, 8 June 1706.

MY LORD,—I hear what I did perhaps in weaknes enough writt, but with a most sincere intention for the Queen and nations advantage, doth displease severals; and I am yet so dull as not to take for what. If I did see it, my zealous intent should not hinder me from repenting, amending, and apologizing; or, were I conscious of my haveing any particular design to hurt or injure any person, I would with ingenuity crave their pardon. But whilst I am so ignorant as not to discover my fault, I am not fond of lying on my self, nor of apologies to others, for that unto many of good judgment appears

¹ Original Letter in Mar Charter-chest.

to savour so much of the ly as secludes it from my resolving to use it, untill I know my fault. I have repeated my letters in a 3d, which I look on as a full vindication; yett, in your Lordships, and two or three more, I have, by a written postscript, said what I think just and knows to be true. I hear some are angry at my letters, who warr as farr from my thoughts in that effaire as I know them to be free of what I have said of others, and yett I doe think what I said of the others tended rather to flattery then unkindnes. One thing I will say: If the Earl of Marr have the least sentiment of my unkindnes to him, and farr more of what directly or indirectly could be unacceptable to him, he is (in that) less just to me then I am to those who misconstruts me, or have been more injurious to me. I honor your Lordship and your family, nor is it the jarrs of factions, or different opinions or measures in state or church politicks that could drive me on that rock. I am a litle zealous sometymes for my opinions, but that heat never past from things to persons—no, not to my personal injurers, tho in particulars I am not politickly humble to these who wrong me. I have troubled you with my 3d letter, but the trouble of reading it is left to your Lordships will and leasure; for I think ane vnion so much the mean of our publick and privat good, ether as to religion, liberty, honor, or property, that, so long as I think or act as a Brittain, I will doe for it whats practicable for, my Lord,

Your most humble and faithfull servant and freend,

CROMERTIE.

266. [DAVID FOURTH EARL OF NORTHESK to GEORGE FIRST EARL OF CROMARTIE.]

Ethie, Sunday morning, 16 June [1]706.

MY DEAR LORD,—I fancie now you have no mind to stir from Edinburgh till you get ane account of the conclusion of the treaty, which I'm told will,

or many days, bee finished, at least as much as can at present bee done. Thereafter I think it should bee no more kept a secret ; for, being of such consequence, its highly reasonable people should have time to consider it, if the dissign bee not they should do as Dundonald did when he took ane oath. I hear some of the Scots folkes proposes to bee in Scotland beginning next moneth. Now that you have so long delayed your journey, I belive you will have it the sooner done, for my wife and I are thinking this week to bee at Erroll. You shall bee equally welcome to that place as this ; only, you will have the misfortune of not getting so much sport, and you will get worse drink and but a very sorry bed. However, you shall get the best it affords ; and, if I see you not soon, I belive I may convoy you thither from Edinburgh, being apprehensive I will be oblidge to make a start there about a Session business. My wife and I are most sincerly your faithfull servants,

My dear Lord.

267. GEORGE FIRST EARL OF CROMARTIE to [JOHN EARL OF MAR, one of the Secretaries of State for Scotland].¹

22 June 1706.

MY LORD,—Besides that I had litle matter to writt, I hear that my self and letters were so unacceptable with many at court that I resolv'd to writt no more of publick concerns ; tho, in my owne litle opinion, nothing could be more from what I intended then the construction was put on my letter as to the Vnion, nor was there any litle indeavour which did draw more opinions towards vnion with England. But there was a German quarrell in the case, whither against me or the vnion, tyme will tell. But I shall

¹ Original Letter in Mar Charter-chest.

always wish success to what will cary on the effectuall vnion, against which I see a storm arising with a renewed force and from a new spring. But the Queens manadgers, I doubt not, will take just measures, so I leave that subject. But, my Lord, I have a litle particular which draws on your Lordship the trouble of this letter. It is, Alexander Forbes, bayliff of Aberdeen, is considerably my debtor. His esheat is beggd both heer and (as I hear) at your Lordships the secretaries. These heer are content for my preference. I intreat, if any pass there, that it may be so, which the members of the buird have always had; and that the gift be burdened with a preference as to my debts due by the said Alexander to me by account of his intromission with my salmon fishings, and otherwayes, for he had victuall for two years of me also. This, my Lord, I adventure to recomend to your Lordships care and your intercession with the Earl of Lowdan, whose freendship I will hope for in this to, my Lord,

Your Lordships most obedient humble servant,

CROMERTIE.

268. JOHN EARL OF MAR to [GEORGE FIRST EARL OF CROMARTIE].¹ Copy.

Whythall, Jun 25, 1706.

MY LORD,—I had the honour of yours of the 8th some posts ago, with a copie of your 3d letter concerning the Union. I had read your 1st and 2d before, and, in generall, I think your Lordship has a very good notion of that affair; but I must confess I think you treat the treaters pritty cavalierly. For my own shair, I'm very indifferent what people say of me, but realie I wou'd not have expected such a charactur from your Lordship as you are pleased to give me with the rest of the treaters. Notwithstanding of that,

¹ Copy Letter in Mar Charter-chest.

I was more concern'd upon your account than any body's else, for it does you more hurt than any concern'd. Your Lordship knew that our treaters did not take very well what you was pleased to say of them; and your Lordship cannot think that your ordring your papers to be delivered before our face to the English, after you knew this, was very oblidging. I told Doctor M^cKenzie, just as he was about delivering them to the English, that I wisht he wou'd think of it well before he deliver'd them, for I was affraid of its doing your Lordship harme. He said he cou'd not help it, for he was ordred to do so. But for all this I wish it may be in my power to do your Lordship any service. The treatie is now very near concluded, and I hope we will see you very soon in Scotland with it. We have made the best of it we cou'd; and I hope the parliament will think it for the intrest of the nation, and so raitifie it: by which there wou'd be an end put to all our divisions, and honest people wou'd get leave to live at pace and ease, and mind their affairs and the improvement of their country—a much better imploiment than the politicks. I am, my Lord,

Your Lordships most affectionat cousin and most humble servant,

MAR.

Indorsed by the Earl of Mar: "Copie of my letter to the Earle of Cromertie."

269. GEORGE FIRST EARL OF CROMARTIE to [JOHN EARL OF MAR].¹

2d July 1706.

MY LORD,—I most be under a great dulnes, since I not only at first, but as yet cannot find wherin I injurd any whosoever; and then how farr from what could include the Earl of Marr. But thoughts, as weel as persones and

¹ Original Letter in Mar Charter-chest.

estates, are subject to whats without us. It was somewhat hard (perhaps) for me to advance that those who had done me great enmity were fitted to cary on what I thought was so great a good for my prince and patria, and yett to evite the silly imputation of flattering my oppressors. But, if serious reveiwing of what I said doe not evince this, I hope tyme will. However, my Lord, I am glad yow insinuat that yow can goe over your share of whats supposed so ill; for tho yow did not, I cannot be angry at your person, and farr less at your family, which Scotland hath so long honored without interruption, evn in its corrupted fitts of faction. My Lord, I am glad to hear of many things thats said to be adjusted, and, if it be possible, bring no Achan, no defeating article. Not that I fear you will, but I deprecate a most.¹ Nothing shall alter me from being a Scotsman and a Brittain, and for the vnion, nor from continueing your Lordships

Most obedient and humble servant,

CROMERTIE.

270. THE SAME to [THE SAME].²

17th July 1706.

MY LORD,—I begg pardon to represent to yow a prejudice thats like to fall on a man who was never sparing of paines nor purse when a Scotsman needed ether; and the more this is to be considered, that his prejudice is created to him by a villanous act of a Scots rogue. That he is a rogue, I have good ground to say; for Dean of Guild Broun (a very honest man) did assure me of this, and two other burgesses, who were certaine attestors of his haveing falsified 7 or eight writts, which were found and proved to be such; besides

¹ That is, must, in the sense of compulsion.

² Original Letter in Mar Charter-chest.

severall other villanies, for which he should have been hanged. This for the accuser. And that his accusation is suitable, this I think will prove. For he was by Scots recomendation taken in by Colonel Villars to be his butler, and because for rogury he turnd him of, he hath accused the colonel for unlawfull trade in French wine, which was a present of wine beeing sent him from Scotland about a year agoe, and sent up by C. Gordon, which I am sure, tho a gift, was sufficiently repay'd by the colonel. Yet his butler, who receav'd it, hath informd, and made affidavit against his master. My Lord, I have told that he is a kind Scotsman, and likewayes he is married to a Mackenzie, and hath neither said nor writt any thing that can offend his freends, which is more then they will allow to be said by one who is, however,

Your Lordship's most obedient and most humble servant,

CROMERTIE.

My Lord, I hope it will not be ill taken that I assure yow there is strong clubing against what yow are about, and of severall constitutions. The feare of new oaths is a takeing bate, and many things which are perhaps groondles; and many think that divulging of the articles would have prevented objections.

271. DAVID CRAWFURD, Her Majesty's Historiographer, [to GEORGE FIRST EARL OF CROMARTIE].

London, July 27, 1706.

MY LORD,—Your Lordship, when you left this place, gave me the honour of a letter from Stamford, telling me what wou'd be the fate of my Memoirs. You have (I fear) foreseen too well in this affair, only one thing has escap'd your Lordship—that the unlucky bratt wou'd be laid to your door, and you

wou'd father the child yow ne're begott, but endeavour'd to destroy in embrio. Endeavours have been really usd here to perswade the world the book was written by your Lordship; and the fault of your servants must be charg'd upon you to blacken you, after they have gott you down. This letter comes not to acquaint your Lordship with this alone, but at the same time to beg your protection. The title of Historiographer is a terrible eye sore to some folks: my commission must be taken away, and a maleverse must be found, for I am not tame enough to part with it for big words. The parliament that can do ev'ry thing will easily find a fault where perhaps I meant quite otherwise; and this will both please the good clergy and attone for the act against Buchanan in the reign of James the 6th. I'm to be examin'd (I'm inform'd) by the Qucen and counceill here, in order to oblige me to produce my MS., which I long since threw away as useless. I know what I am to do here, but in Scotland the case alters. 'Tis certain I can't save my commission; but 'tis hard to be run down and condemn'd with a *nemine contradicente*. If 'tis put to the vote, I'm satisfied to come off with loss; and if ever I serv'd your Lordship honestly, let me be sensible of the reward in standing up for me so far as to bring my buss'ness to a vote in the house. I most humbly beg your Lordship's pardon for this trouble and freedom; but I never had another master, and I still reckon my self one of your Lordship's family. I can write without being her Majesties Historian, if she thinks fitt to deprive me of that honour; and, if I live, I shall give the world the 2d and 3d part of the same Memoirs. All I ask or wish is, but to be killd fairly, and not to die without having it put to the question, shall I live or not? After all, I must presume to acquaint your Lordship that you are under half an obligation to befriend me at this time and in this buss'ness, for I wou'd not have been so dangerous a person if I had not been about your Lordship's person. Your Lordship was once so godless as to endeavour to establish iniquity by a law; and your servant (if

the book is his own) is following his masters steps, by condemning and exposing rebellion, which some men have gain'd more by than e're they cou'd have done by an antiquated principle of loyalty. I am sure your Lordship can in this affair lay an obligation upon me never to be repay'd by all the services of my life; and I promise my self, from your Lordship's goodness, both your own assistance and my Lord Prestonhalls. I am, my Lord,

Your Lordship's most oblig'd and most obedient humble servant,

DAV. CRAWFURD. .

272. LIEUTENANT RODERICK BAYNE to THE SAME.

Camp betwixt Courtray and Pont Dispeer, or Helchin,
Jullie 1706.

MY LORD,—In performance of my dutie I have writen to your Lordship four days after the batle of Ramillie, with a short account of the battle. However, I am perswaded your Lordship hase a better account of it since ; if not, I have sent the true relation of it to Sir Robert Munro off Foules, which your Lordship may command att any time. If your Lordship did not think it troublesome, there is nothing can hapen here but I can send your Lordship. The seige off Minnan is goeing on verie well, commanded by Generall Salice, generall of the Hollands infantrie. My Lord Orknay is there as liftenant generall. The Duke of Argyle is there as brigadeer of 4 English battallions and two Scots, Murrays and Lauders, after being att the seige of Ostend with his regiment, but sustained no loss. The Prince off Prussia hase joined us with 18 thousand men—verie fine troups. We expect Minnan will not hold four day[s] after our batteries are formed. The Frensh hase no armie here in the feild to oppose us, soe that we expect to take Tournay, Lile, Mons, Ath, Iper, and Newport this campayne. Our descent from England is going on

verie well under the command of my Lord Rivers. There is three regiments goen out of this country,—Lallos, Machartney, and Farringtons. My Lord Mordan commands them. I wish I could have the honour to receive two lines from your Lordship, as I am in duty bound to wish your Lordship well as patron of my country, and to continue, my Lord,

Your Lordships most humble servant,

ROD. BAYNE.

My Lord, there is no man more desirous to serve his country and your Lordship then I am ; but, my Lord, I can not, without a remission for that unfortunat busines hapened me att home, against my will, God Amighty knows. Your Lordship promised me att London I should have it, if I did behave myself well. I whollie depend upon your Lordship's promis.

Colline Mackenzie, Tarvies son, dyed verie soon after he came to the Bosh. If your Lordship pleases to write, direct to Liftenant Bayne off Colonel Godfreys regiment, in the English camp.

To the right honorable the Earle of Cromerty—These.

273. SIR JOHN MACLEANE to [THE SAME].

London, October 9th, 1706.

MY LORD,—Since my wife is to deliver this, it spaires you the trouble of a long detail of my affaires. I shall onlie tell yow that since my last to yow of the moneth of Apryll I have been at work to gett the Queens leave to goe to Scotland ; and after the English ministers had purged themselves from haveing a hand in the obstacle, I importuned the Scotch till they did as much ; and at last the treasurer told me the Queen inclined I should wayte till Argyll was consulted. Att his comeing hither I applyed myself to him, and

told him what the treasurer said. He was in a passion, and said he wondered what the treasurer meant, and swore he never made any objection, nor never spoke of it, and that, if the treasurer designed to putt a hardshippe on me, he must not putt it on his shoulders, and desired me to tell him so from him. The treasurer promised me to speake to him, but afterwardes told me he hade forgott, but that he would write to him; but Argyll told me he never did, and said to me at the same time that I did not knowe the treasurer so weell as he did. I have written to Argyll to writt me a letter, which I may showe the treasurer, for, when the Duke was in Flanders, the treasurer told me that would be sufficient. Whenever his Lordship returnes to Newmarkett, I will apply to him again, for I find there is nothing to be done without importunity. I found Marr very civil when he was heere, but so umourous that I could not expect any thing by him. In on[e] word, since your Lordship went from hence, there is not one in the ministrie who, I beleeve, would not be afraid of nameing me to the Queen, for feare of a certain great man. I leave my wife to give your Lordship a particular account of my circumstances, and to followe your Lordship's directiones in all that concernes me, and shall onlie beg leave to asseur your Lordship that I am, and will be inviolablie, my Lord,

Your most faithfull and most humble servant,

MACLEANE.

274. GEORGE FIRST EARL OF CROMARTIE to [JOHN EARL OF MAR].¹

8 Januar 1707.

MY LORD,—I wish your Lordship this and many a good year. I wish my freends at London best of any there. I wish they may take the best

¹ Original Letter in the Mar Charter-chest.

of measures ; and regrate when others (whom I doe not love so weell) take the wrong end of the staff. I wish that those who defend the exorbitant gain of manadgers and their practises, may find a way to pay just debts to those who deserves no less then these ten thousand pounders (as is said). But my provence is to submit to sovereign determinations. These are my new year gifts to the Earl of Marr, whom I love weell and wish happy. Now to a word of intreaty (not for myself, for then I could not reasonably hoipe for success by experience). It is for Glenderule, who, I presum, hath good freends amongst your Lordships freends, that in the new regiments, wherof wee hear much, he may have a company. I'm sure he can be [as] serviceable at occasion for new levies as any other can be. He hath warranted me to be caution for beeing your Lordships servan[t] ; and your favour beeing a free gift, will ty him the more to be yours. If he gett any, he can be more usefull to your Lordship and other freends, and in helping of recruits in a regiment at home then abroad. My Lord, I alwayes presume yow will pardon these addresses from, and because from, my dear Lord,

Your most humble and obedient servant,

CROMERTIE.

275. [GEORGE FIRST EARL OF CROMARTIE to SIDNEY GODOLPHIN, LORD GODOLPHIN, Lord High Treasurer of England.]

15 February 1707.

MY LORD,—Now I look on the vnion of Brittain as done, and as ther was no politick good I so much desyred, nor to which I did constantly use my litle indeavours, so, as to all publick concerns, I consider them so safely lodged

in our glorious Queen and with a Brittish parliament, that, by God's blessing, I nether feare forreign foes nor homebred factiones, which I lookt on as a great evill, and more constantly and frequently so then the forreign. Among my now litle fears, there is none I deprecate more then that the ghosts of our departing factions may yett appear; for as that propertie in our humor was both begott and nursed by our governments making places and pensiones—the prizes to be gained by turbulent or cabaling spirits—so nothing can make thes now dead bones revive so readily as the samne kind of nourishing. But my feares evanish by the perswasion that now clubs and parties will be for the future so absolutly useless, and are in their nature so hurtfull, that I hope the governments prudence in this will farr outdoe what I wish. My dear Lord, since probably this may be the last that ever I shall trouble yow with, and that the very samne zeal which inflamd me with Brittain's great good, doth continue to wish a safty from some evils which, if it cannot anihilat vnion, yett may hurt it, at least obstruct in some measure its happy effects, and that I must be a dull creature if I know not a good deall of the old Scottish distempers, after 56 years imployment in our publick affairs, be pleased to put a gentle construction on what I now say. Buying of servants heer, by enlarging sallaries, hath seldome made any of them better servants, but hath made many others worse subjects. But in place therof, if the generality of the people find the easines and equality, which is the natural consequent of the vnion, that will influence all, and afford more security then all factious combinations, when the usurping English, who invaded us as enemies, by liveing amongst [us], produced a great vnion in the affections of both. What and how soon may it produce ane better effect when they—I mean your regiments—may abide heer, and ours with yow. I doe not speak of this as to be done by precipitation. But after some of the advantages of our vnion shall appear, especially by the serene and kind proceedings of our Brittish

parliament, another inconvenience may arise from useless offices, for they can hardly be useless and not hurtfull, and prove only bones of contention. I doubt not but self-interest will forge reasons for continueing some such, ether as alledging use for them, or as a debt to persones who have servd so weell in this great effaire. But as that was duty, and it promising good to us and our posterity, will abundantly reward the most deserving; so that obligation doth justly spread so farr that almost none or all should expeet it. For, as all who were not against us in that, were for us, on good information, none can pretend to supererogation, and I most wish that its vuiversall good effects may make our opposers penitent and pleased rather then to move envy and farther anger, which may arise from too great largesse. And this the more, that all are turnd pretenders to great merits, whilst very few appeard hero's in it to us poor mortals, and none pretends lowder then these undiscernd operators. Some other particulars I referr to the inclosed papers. I perhaps consider them more important then they are, but the nature of the thing and the consequences magnify them to me: and tho they be no great things compar'd with English estimat, yet they were great integrant parts of a lesser crown, and I cannot but think them but considerable with respect to the remot extreame of the whole isle. However, my Lord, it is to the Queen and yourself only that I desyre to nottice it as from me. I hope the surplus of the equivalent will be putt under inspection of such persons as will seriously and impartially mind the comon good, and on as litle privat design as honesty requires, and with particular provision that the whole or major part of them be not of a partie. For as to our representatives, I hope they will deserve kind treatment, and England will give, and that both in eoneourse may doe what will be esteemd good by all Brittain, and may for ever shutt the mouths of gain-sayers. If those who were not of late very kind to me, and in whom as yett I have litle change in that, doe what I think doth justly call for complaint,—

that one occasion may force a letter to your Lordship from one who would gladly, as much as in me lyes, live at peace with all men, and, on any account, as

Your Lordships most obedient humble servant.¹

276. GEORGE FIRST EARL OF CROMARTIE to [JOHN EARL OF MAR].²

4 April 1707.

MY DEAR LORD,—If yow allow me to trouble yow with recommendations, I shall wish rather to exerce it in my freends nor in my own concerns; for I wish that my owne may not much need them. Yett, when they doe, your Lordship cannot hope to escape the attack. My Lord, this is to recomend the bearer, a gentlman of a good family,³ but litle oblidge to his predecessors frugality, which forct him to educat himself in the late most profitable trade in our country, viz., the publican. His education in it hath fitted him for it: he yett wants a patron to fitt it for him. It would oblidge many of his frecnds, and amongst them

Your Lordships most faithfull and most humble servant,

CROMERTIE.

277. THE SAME to [THE SAME].

22 April 1707.

MY LORD,—This is the 2d to your Lordship; the last was on the particular of Babugies debt. This is to tell that the treasury, in place of givinge ane attestation to evry one of the civill list, as the act of parliament requires, wherby evry on[e] may have action as is there prescribed for their debt on the

¹ The signature has been torn away.

² The originals of this and the following fourteen letters are in the Mar Charter-chest.

³ T. Urquhart of Craighouse.

equivalent—its said that they have resolved to put all in one list. If so, evry one may construct this as a method to embarras all, and disappoint whom they please ; and seems to be a very odd entry in the first Brittanick administration. I was goeing north, but I most, on this [account], stay till I see whither I most attend this effair heer or at London. I hope my bad usage had been at ane end, and I shall think so yett, till work witnes that it is not. My Lord, *principiis obsta*, and be pleased to remember that I am

Your Lordship's most faithfull servant and freend,

C.

278. THE SAME to [THE SAME].

Royston, 28 Aprill 1707.

MY DEAR LORD,—I correspond with few [but] with yow, which make[s] the load heavier on your Lordship. I crave leave to recomend the bishop of Ross Youngs relict to your Lordship's favour, and evn care, for he was ane honest moderat man (a rare vertue in clergy). The former papers in herr favour (I presume) will be sent yow. I long to hear what scheame as to us yow will establish, but am constant in wishing it a good establishment. *A la mod*, I am to send up a signatur for chang[ing] my litle lairdship to blensh. Since I see them refused to none, I hope it will not be to, my Lord,

Your faithfull freend and most humble servant,

CROMERTIE.

I just now, at 2 aclock, was called to meet at 12 in councell.

279. THE SAME to [THE SAME].

Edinburgh, 17 May 1707.

MY LORD,—I adventur'd last yeare to represent to your Lordship, and likewise to the Duke of Queensberry and lord chancler, that two (indeed

rascals) Scots men, who were exorbitantly obliged to Collonel Villars at Timmoth Castle, did (I presume) maliciously and falsly accuse him of importing of forbidden goods from Scotland. The groond of my presuming the malice and falshood is, that I had occasion to know to a demonstration that one of the two, called Thomas Forrest, was condemnd, on proof and confession, of forging of false writs heer; and, tho the association with such a person was a presumption against his accomplices, yett I have from a good hand that the other, called David Scotland, was convicted of larcenie, and escapt from goal in England. Now, my Lord, these beeing the only accusers of a person of Collonel Villars honor, and one who ever was a forward freend to all of our nation, and particularly to these very persones, I humbly say that its evry man of honors concern on occasion to resent it. The notable infamy of the witneses could not possibly be known to the collonel befor in course that their depositions were taken, so that sentence (they say) was past; but that, *ex equitate*, the judges recomendation hath on conviction (by the judges testimony who condemned the one heer, and the other there) that they were infamous rogues, hath stopt the prosecution and exaction of the fyne and sentence, except as to these rogues, who were both (as wee say) theeves and merchants; and that yett they insist forsooth for a reward of their villany, whilst they very weell deserve a different recompense. My Lord, I humbly add my intreaty to Collonel Villars his many other merits from our nation, for your Lordships interesting your self against such knave's, and for so worthy a person as the collonel, in assisting to procure a quiet, [which], as they say, is in such cases necessare for persones who fall under such injuries; and to hear that your Lordship shall doe so, will be a new addition to my many obligations of beeing, my Lord,

Your Lordships most humble and most obedient servant,

CROMERTIE.

280. THE SAME to [THE SAME].

Edinburgh, 31 May 1707.

MY LORD,—I had the honor of your line in company with the counsels comission. Your Lordship heares seldome from me, not that I have not some privat matters to desyre, but that I judged the publick effairs so heavy on yow that I would not add to the load till these grow lighter. Wee wish to hear better news from Spaine and the Rhyne. Prince Louis of Baden is not only apologized for, but magnified for his keeping weell and long what his successor hath so easily lost. I wish wee may hear of ane equivalent for our enimies in Flanders ; but I suspect Vendosme will talk bigg, but stand on the defensive there, whilst our weaker sides are therby exposed to them in other posts. I ever thought our merchants adventurd too much on the catch of the nick of our conjunction. Yett, my Lord, yow cannot imagine how great advantage the enimies of our vnion have gott over this old nation generally, by the ordors for prohibition of import from Scotland not only of returnd tobacco (which none can condemn), and of French wine, but the prohibitory article of all other customable goods. That hath raised a clamor, and threats of more, especially in the loyall west country. I gett my share, tho I beleeve my zeal for the vnion be not so much nottic'd elsewhere in my favour as heer it is to hurt me if they can. I wish those that are crownd with the laurels for that victory would stand in these gaps of inconvenience. But yett I am no penitent for what I did, nor will I trouble any with resentment of my treatment. And enough of this. But, my Lord, I most still wish happy effects of our vnion and its stability, and that nether keeping up the larva of a kingdome deceast in its vseless officers may fright us, who, by distance, are as children on sight of these ghosts ; nor by any harsh treatment of our traders, for if no merchandise goe in but what truly belongs to Scotsmen, *ne vault l'peine*. And other

hidden traders, I beleeve, doe raise the greatest clamours heer. This is intrusion enough for a bystander. I hear these sent to oversee the matters of excise dar not goe to the west till some troups scour the rout: "Weell kens the mouse," etc. See what it is for a hobby to beginn lettering with a stats-man. And for fear of too much faulting, I break of, but not from beeing lastingly and sincerely

Your Lordships most humble faithfull servant,

CROMERTIE.

Mikle need have I that the equivalent be hasted downe. Amen.

281. THE SAME to [THE SAME].

Roystoun, 14 June 1707.

MY LORD,—I did forwarn that I was resolved to trouble your Lordship, when I judged some of the throng of your greater effaires were over: but evn then to burden yow only with such as might be ranked amongst thos which herr majesty as granter, and your Lordship as procurer, doe, if not ordinarily yet frequently, conferr on subjects who are not misdeservers. And haveing the presumption to arrogat at least that innocence, and seeing that almost evry exchecker day some change of holding from tax ward to blensh are past, I have heerwith transnited ane signatur of that nature for my litle estate, which holds so; and intreats and hopes that it may be sent whilst our present exchecker continnes, who are acquaint with these maters. Since to writt more could give only addition to your trouble, I shal use no further motive for procuring the favour but this one (which I think considerable), that it is to be done for

Your Lordship's most humble faithfull servant,

CROMERTIE.

282. THE SAME to [THE SAME].

26 June 1707.

MY LORD,—I know yow had some fashious addresses from the poor daughter of the Bishop of Orkney. Shee is indeed as low as misery of poverty can throw herr, and so, as it was not possible for me to deny herr so earnest crying to have herr pctition addrest to your Lordship, it is heerwith inelosed; and a poor creature's importunity will (I hope) procure me allowance or excuse for the trouble given by, my Lord,

Your Lordship's most obedient faithfull servant,

CROMERTIE.

283. THE SAME to [THE SAME].

30 June 1707.

MY LORD,—My particular respect and obligations to Colonel Villars ingadged me to trouble your Lordship with his concern for once; but his beeing always so good a freend to Scotsmen, and his present misfortune arising from unworthy persons of this nation, whom he had favoured too much because they were Scots, oblidges me to adventure ev'n on ane indiscretion in a reiterating of my thrusting in a second and earnest sollistation for your Lordship's concerning yourself for him. I may add a second argument from his kindnes shewn to the Lord Sinclair and other eoall masters in their fugitive servants. A thrid topiek is, that his fyne children are Maekenzie's bairns: and the last and least motive is as a eipher, which, tho altogether insignificant in it self, yett addes above its value to preeeeding figures,—the eipher is, that what your Lordship pleases to doe for him will be ane honor and favour to, my Lord,

Your Lordships most humble and obedient servant,

CROMERTIE.

284. THE SAME to [THE SAME].

Ethie, 10th July 1707.

MY LORD,—This is to acknowledge the honor by your letter, date June 26, and of the very great favour in your so much notticeing of my litle concerns. Nor (under excuse) needed your Lordship make the least excuse for so few returns, which was what I did not expect, nor could with discretion. And, on the other side, I did and doe expect kindnes without ceremony, tho I cannot give a good reason for my pretence, if it ly not in that impulse which ever kindled ane inclination, with great zeall, tho to no effect, for serving your Lordship and family, if I could, which in part may ly in Arskine, partly in Mackenzies blood.

My Lord, when yow please, send my signatur. I beleeve I had not desyr'd it, if I had not seen such goe in course for these last two years; and least any new law may alter that stream, I wish to have it, before a parliament of Brittain sitt. My Lord, as to what yow writt of peoples founding misunderstanding on severall occurrents which cannot be helpt in the begining of constitutions, is farr from noveltie. But rationall men most walk by rules, especially the rules for publick good, and not by the litle polstarrs of mens privat interests, and yett farr less by privat humors, which are very oft extravagant. And therefor I pray that yow quite not your fondnes for the vnion, for I am as much as ever perswaded that it was and is the cheeff politiek good of Brittain. I labourd (and with as much heat somtymes as discretion) in it for 40 year, through good report and ill report. I was often scornd by some who now glorie in it. I am farr from repenting it; it hath in it the true nature of good; it is a good in its worst view. But no sublunary thing is at first perfect. It is ane infant as yett, and needs a nurse. It was exposed, as a Moses, in a flotting baskett, recovered unexpectedly, and by a king's

daughter; and now, more then that, I pray God shee may pitch on good nurses. And I'll tell, under adventure, that I shall never think any to be such, who, for any particular interest, will keep up a seam of division. Any thing that will make us look as two, now that wee are one, may, ether on purpose or by mistake, bring us againe to be divided.

The next thing I fear is, that for some litle politick wee may compliment the Dutch (not in not hindering them to fish, for that I would not desyre) with not setting our desygn for outshutting them in their owne bow. For, allowing them to fish as they did, if wee but fish as wee may, then wee will undersell them through all the earth; and so worm our selfs in to what alone (on examination) will be found to be [the] first and great base whereon their riches, trade, and power are founded. This I did demonstrat to King Charles, first on debate in his closet with Mr. Slingsby, *anno* 1662, and can doe so still. Therefor, as the best politick wish to one whom I wish very weell, I wish that the Earl of Marr may work with as great zeall and constancy for establishing both herrin and codd fisherie in Scotland by Scots hands and English direction, and Brittish stocks, as I (your Lordship's servant) did for the vnion, but with more speedy successe. And then I dare prophesy Europ, or any potentat in it, may envy, but shall not hinder us from the greatest and best founded trade in Europe. I doe not think to live to see it—75 year old is too low for that—but whilst I live I will wish it, and indeavour it, as farr as a wearied age can act. I am heer at Ethie, where I receav'd your Lordship's letter, and, tho I be in full health, yett I think it is the last journey, out of a chair, that I will make in my lyfe. But good will, good wishes, and sincer indeavours for these 3 things, viz.:—1^o, no mark to remain of two divided kingdomes in Brittain; no faction in Scotland, nor grounds of faction from places and divided power in North Brittain—(these are two negatives.) Now one positive, viz., a vigorous fishery—to shew that wee have a better, that is,

a more mine-full foond in Scotland then the Indies can affoord ; for theirs will never grow, ours doe evry year ; and meat never wants mercat, and so can never want vent or vendition : and to fell two doggs with one stone at once, sett up Room, and cause Carthage to fall, by fairly takeing of its base on which it did rise, and yet without hindering them from the claim of their greatest man and greatest lawier (Grotius), viz., *mare liberum*. For tho they fish with us, they can never equall us, if English purses, Scots hands and provisiones, and Brittain's strength joine cordially and prudently. I wish (I say) to see this or I goe hence to where these concerns will be litle thought on by, my Lord,

Your Lordships most obedient humble servant,

CROMERTIE.

Bear with this long letter, for your Lordship will not gett many, and the fewer, if yow doe not plunge into a Brittish fisherie.

285. THE SAME to THE SAME.

14 Agust 1707.

MY LORD,—I own such and so frequent troubles are : nor have I other expiation then confession without amending, and too ordinary repentance. My Lord, it is for the Countess of Seafort, and for ane Erskines bairn ; and, which [is] yett greater, it is to hasten (if this can) herr litle signatur, for without it, shee is driven not to, but from a morsel of bread. She was in great hopes by a letter a while agoe telling that it was past. Would to God shee had it, and your Lordship no more troubled on that subject by

Your Lordships most humble obedient servant,

CROMERTIE.

A postscript.

My Lord, Mr. Prophet, postmaster, is dead. Keneth M^eKenzie, sonne to the Earl of Seafort by the left hand, a very pretty fellow, and in the opinion of many a man fitt to be a post master, as extraordinar skilfull in horses and horsmanship, [is] very desyrous to be reecomended to your Lordship, and very resolut to be a devoted servant to your Lordship. The salary is but 30*l.* sterling per annum, and so the least in Seotland.

For the right honorable the Earle of Marr, principall seeretar of state to the Queen.

286. THE SAME to [THE SAME].

[August 14th, 1707.]

MY LORD,—Others prevail with me to writt too often to yow, which trouble to your Lordship I would gladly reserve for acquainting yow with what I judged fit for your knowledge (and that doth seldome occur,) or helpfull for my owne litle concerns, and that calls too oft. Yesterday in exchequer there was a debat twixt those concernd in the customes, and severall merchants, on the merehant giving their oaths on embezilments and false entries. Oaths (as is said) not beeing required in England, and in all things our trade beeing on the samne regulations, it was argued that if our merehants were putt to oaths, it was a hardship in trade, above what English were lyable to. It was desyred by the merehants (after much pleading) that their advocats might inform; and so a day was appointed. My litle opinion was, and is, that oaths is not a good medium of probation in that matter, and used by few tradeing people; and to use so different a probation heer from what is used in England is choaking to the people. Yett it being a *medium probandi* approved and used by our law, and by statut allowed, I

doe not see how the counsell or exchequer could refuse it to the customers, if desyred ; and albeit the regulations as to trade be the samne, yet this would be a regulation of judicatur, forms of process, and *media probationum*, which is of a natur altogether different from regulation of trade. No doubt, to put the merchants to their oaths is a faculty allowed by our law to farmers, collectors, or manadgers, and therfor they may exact it. But beeing but a faculty in favour of the soveraign and the servants, they may forbear to exact it ; for it is of the nature of *approbata a jure*, but not of the *imperata*. And if the Queen and treasurer please to dispense with it, it would please much heer ; for thes who were and continue enimies to the vnion, take all handles to stirr up ill will to it.

My Lord, I am wearied out with troubling herr Majesty with my miserable litle concerns. I may, and cannot but say that I have been used like a cast dogg, and particularly in that unfortunat 1500*l.*, and too too dear bought. However, some whisper to me that it is not to be allowed with preference, as the commissioners allowance for equippage ; it is on the like foot, and is not 100 to the 1000. But my plea for a preference, at least with the first of salaries, is, that it is for ane onerous cause, and that is gifted by her Majesty on a locality, and therfor should be liberal with the first, or els the locality put in my possession, as the Duke of Ar[gyles] and some others localitys are, tho without a direct onerous cause but meerly gratuitous ; and the Queen hath been pleased to renew, or reiterat grant three tymes, tho all hitherto uneffectuall to me. I am loath to goe up to croake, bot I owe it in London, and I most goe, if not redrest now ; and if your Lordship find it not unfitt for your Lordship, I wish this my humble sentiment were once yett told to herr Majesty. I did take nottice to your Lordship formerly, that when all others who are in office are nominat on any publik occasion, their office is mentiond in their designation, and mine on no occasion. If this be because *non tanto sum dignus*,

yet the office should not suffer. If it be because my office may by some [be] judged *pro libitu*, yet others who are so, are designed in their office. If it be as a preparatory to a new comission, yet others who have no new comission, are yet designd. But if it [be] because others—*exempli gratia*, the president of the session—is not changable in vertue of the claim of right, then much more I. For he is vice president of a judicatur, and in absence; I, certainly, president of a sovereign court of judicatur, and of the first of the juridicall courts, and in the fixednes of whose office the leidges are most concernd, as beeing judge with others of lives and fortunes, and whose comission is not in the tearms *durante beneplacito*, but indefinit as other judges are. I ever thought my best charter to office was my sovereigns choise, and in offices of state it is the only. But in judicatur I ever thought their fixednes the peoples best security, and I cannot alter my opinion because it is in my owne favour. And therfor, when I found my beeing of no faction was a cause of parties hatred, and that in absence I could not warm enough against the haile of hatred, by the Queens allowance, I choosed a station, which, tho it could not enrich me, yet would secure me against adversares, if I were ane adversar to my self by turning criminall. Now if this be in the pott, I plead not guilty, and will stand for my innocence; and this I tell by preventivo, to a patron, a freend, a cousigne, but *primo loco* to her Majesties secretarie, who I doubt not will fairly lay befor herr Majesty the case (if it occur) of

Your Lordship's faithfull humble servant,

CROMERTIE.

287. THE SAME to [THE SAME].

21 Agust 1707.

MY LORD,—Wee are heer tos't in our judgments twixt designs of persones and severall views of the nature of the things. Its like that the African

Company beeing satisfied, and amongst them those who very frankly opposed our vnion, then the other branches, whither these who were treaters, or yet more, these who are and have been disappointed of their fees and salaries, by the prudence of the sq[uadron], most ly out, till the parliament of Brittain, at least this session of parliament most be over or any other can; and then they shall be best served who are true blews. But if such a cast should be given, that the commissioners of equivalent should be ordored to dispatch their trust ere they dissolwe, this would disappoint two designs: 1^o. the squadron will not be so numerous in the parliament as is bragg'd; 2^o. they most pay others as weel as their freends, or they part. But *nunquam credita Teueris Cassandra*. My Lord, there was ane overtur for bringing in the pirats of Madagascar, who (for ought appears) could not be reduced, without more trouble should be brought to be. Good subjects (what ever Christians they be) might be pardon'd on their enacting themselves to live peacably and loyally for heir-after, and be lyable to reparations to herr Majesties subjects and herr allyes in Europe as law should provide.

This, with advise of herr Majesties Scots servants, was granted by the Queen, on which wee justly hoped that ill men should become good men. The apparent method seems to be that there should be a reasonable method taken for certioratinge how much unpassible money is in Scotland, and that a summe be sett aside to pay the loss, and that immediatly the unpassible money be cryed down to the value of bullion, and on certificats of the quota given in, the commissioners of the equivalent should pay the loss, and so foorth. But since this will take up some tyme, and that the commissioners of the equivalent are mostly, yea, almost all of them are commissioners to the parliament, who will goe up befor the money can be distributed, wherby the whole effaire will be cast of, and on the matter England will have failed in makeing the equivalent effectuall. So, *quære*,

whither will be worst? Shall these members imployd in this commission stay a while from parliament, or shall the satisfaction of all concernd in the equivalent be disappointed? *Si mea cum vestrīs valuisse vota*, and if the samne course had been taken in April and May with the forreign money which was taken with the English money, then the import of much forreign money had been prevented, and the loss by decrying money had been justly and easily repayd. But now wee are at writing herof in a perfect confusion. My Lord, this is writt in the comittee, and so is confused. But if the comission leave their work, and goe up and not leave a quorum, this nation will be in confusion, and many in dissatisfaction. The remed is obvious—that a comission be kept up till it be distributed; and as to the Madagascar, if they can be reduced, its weell. But if it be fit to reduce them by pardon, since it was once done in favours of Scotland, and that now Scotland and England is all one, if Scotlands interest be left out in it, its hard. This is consonant to my resolution of writing what occurs to

Your Lordships servant,

C.

288. THE SAME to [THE SAME].

25 September, 1707.

MY LORD,—If I had matters to writt of, worth nottice or tyme, you had not been so long unhearing from me; nor should I now [write], if I judged it not in some measure considerable, the greater dissatisfaction then ever, of and for our vnion. Your Lordship may easily beleev that many who were so, tho on severall accounts, are no converts as yett, but almost twice as many are joind in their sentiments, and many of such as did concurr with us for it—some for the matter of the seaz'd wines, some for salt, some for

seeing so litle, or rather nothing, of the English concurring or so much as beginning any kind of fishery, tho our coasts be swarming with fish, and albeit the Hollander[s] were not formerly so near to our capacity for fishing as now they are, did wee allow the samne incovradgments for fishing as they doe. This gives a handle for malcontents against the Vnion, to insinuat, yea boldly to spread it abroad, that Englands are in compact with the States of Holland never to sett up fisherie, a resolution which evry wise and true Brittain will abhor, and therfor no good man should beleieve that they will. And tho present circumstances doe oblidge us to keep fair with our neighbours, and slacken to lay hold on the present occasion, whilst Holland can fish with so much danger, and whilst they have so few bushes, yett I shall never beleieve that they shall not hinder the Hollanders, or perhaps others, to fish,—yet, I say, I cannot think wee will be so over civill to them, or unjust to our selfs, as not to fish in our seas, yea, almost at our harbours, and when wee can doe it with half the tyme that others can fish in, and not half the danger that they fish under, our harbours beeing so near to our fisheries both of herrin and codd. Another medium of discontent arises from yett continueing Scottish disease of envy and emulation, and the grimm looks of passion in the remaines of factions; and tho nothing of that nature shall make me out of love with the vnion, yett I have as much reason as any to think that zeal for the vnion, or service for it, hath not been so acceptable to our superiors as was given [out], since severals, who were so, gett the divel to their thanks, whilst others come better speed in better coyne. But of all the mediums used to irritat people none is so extensive then the needless delays of dividing of the equivalent, on the pretence that they most proceed in the order appointed by parliament, which is certain. As to the preference in payment, had the forreign money been numerat in the begining as the English coyne was, and as was then urged oftner nor once, then it had been

certain what quota was needful to pay that loss, and wee had been safe from a great quantity of both English and forreign coyne, that hath been brought in since, and caryed 3 and $\frac{2}{3}$ per 100, at least, out of Brittain, and diminisht both the civill and military quota. And what hinders now a Hugeban, or any who pleases, to cary in a million, and cary therby 100,000*l.* of the equivalent out, a danger wherof the councell hath been weell advertised, for this blame falls more naturally on the councell then on the commissioners of the equivalent. My Lord, yow cannot imagine how this irritats many, and I have been, and am still earnestly invited to concurr to raise noise on this, and horning against the commissioners, which I have resisted and hitherto diswaded. This is too long a letter, but I hope not altogether useless. I shall only add a very short scheam to shew the needlesnes of delay. 398,000*l.*, wherof 12,000, or so, may repay the loss of coynage—but allow 20,000; for the remaines, 378,000*l.* To the African Company as per act of parliament 232,000*l.*—rests 146,000*l.*; to the wool this year 2,000*l.*, rest 230,000*l.*; to the commissioner, expenses for parliaments 18,000*l.*, so rests 128,000*l.* Allow 8,000*l.* for secret service; rests 120,000*l.*—the half wherof is for the militarie; rests to the civill 60,000*l.* Why is not this divided to pay salaries and servants allowances, as farr as it will goe? And sure it will pay all, except gratuitous pensions, which by act of parliament is in the last place. Now by the act of parliament the coynadge, African Company, wool, and commissioners charges be preferrd, yet what *de claro* is beyond these payments, why should the dividend of the certain quota be delayd to be distributed? Now, my Lord, as to my litle particular, I am used with contempt, and what looks like hatred. I hear I am to have none, till the commissioners of treaty from the parliament; if so, I will study for as much to borrow as will cary my old bones up to complain, *vale que vale*, as Squire Meldrum said. And I repyne especially, that the Queens favour in

appointing by 3 severall letters, that I should be payed of 1500*l.* for my dear bought equippage, and loss by my fatall voyag with my family to London; and herr Majesty haveing fixt that on the customs of Aberdeen, which what-ever herr Royal successors might quarrell in that, herr servants in herr lyfetime (which may God long continue) cannot disappoint me, and the customs freedom from former debts is a cheef design of the equivalent; so that, if I be forct to raise legall diligence to affect that branch with my 1500*l.*, [it] will not be pleasant. And this beeing the Duke of Queensberry[s] case for much more then my concern, viz., 1000 for 100, I hope for his just and prudent favour, and kindness to boot, in my concern; and allow me to presume that in so just a cause your Lordship will not forsake

Your most humble and faithful servant and old freend,

CROMERTIE.

I doubt these members of parliament who are on the commission will not doe twice as much good there as their leaving us in discontent will doe harm; for they will certainly have the pass of ane address from a good many, with them, or after them.

All this to your Lordship only, from your freend and servant.

289. THE SAME to [THE SAME].

7 October 1707.

MY DEAR LORD,—I have writt too much unregarded stuff, especially of my own litle concerns, so no more of that. There is a weeping afternoon as weell as fornoon. *Patienter ferre memento* is a Christian tone from a heathens rurall reed. Now, my Lord, *paulo majora canamus*. This is a new scene

and a comencement. Yow were actors on the high stage, are under observing eyes ; all have a share in the interest : and tho in some former, the shares of the box was principally considered, but now, my dear Lord, if ought be gaind with trick or comedy, it may perhaps be dear bought. It is a matter of great honor, if any shall act a heroick and prudent part, especially in the first act, *et è contra*. I am much prest by men to whom I am not much oblidge, and (to tell truth) whom I doe not much love, to make a London recreative journey ; and under specious pretences of a generous design, I had almost resolved by a motion of privat anger to goe ; but the other project is too great to be weell seen by so old eyes. I am hopefull the Earl of Marr will mind the greater prospect of Britain, and next to that, what will be the true interest of old North Caledonia, which was counted a part of Brittain evn in the Romans tyme. A present blinds to many of mankind evn in competition with eternity ; no wonder it doe then on whats on ane equall foot ; yet evn in that, the esteem of beeing ane honest man is preferable to that of beeing a rich man, which is almost synonymus with beeing a great man. My Lord, as I was writing this, the Earl of Weems came to see me, and told that 20 ministers had told him that I was on a plott to move for a toleration in the Brittish Parliament. This gave the first brangle to my new wish for it. I know not if any thing could make the vnion more gratefull, or the progresse of Christianity more successfull ; yet this is the first motion I made or thought on for it. In this period I may wish it, but O ! in vain. Mr. Carstairs will be against it, and so I think the chanceler will not be for it. I doe not exspect, and therefore I doe not desyre, to know publick matters but from Madid ; yet that is the only matter I am Popish in, viz., *implicita fide*, to wish your resolves may be for what yow truly think to be Brittain's good in church, state, and army. As for what concerns lands and seas abroad, I leave these to the conduct of these demy-gods whose province it

is to govern amidst these waves ; and I pray that they may govern above my hopes and fully to my wishes, and better for Brittain, and with more benigne aspects then they have influenced the effairs or litle concerns of

Your Lordships most humble and faithfull servant,

CROMERTIE.

I have been hideously sollicitd to a London jour[n]ey, but I will see good way and a good guide for ane old traveller.

290. THE SAME to [THE SAME].

1 November 1707.

MY LORD,—Albeit paine (which hath tyed me to my chamber for 8 weeks) had not interveend, yett the great civility and yett greater kindnes in your Lordships letter, dated October 16, made me too stupid to writt a suitable answer. My Lord, I give yow my most humble acknowledgment and thanks for the obligations put on me in it. It was my province to begg pardon for troubling your Lordship with my former writings. All my true excuse is, that the irritationes from others, and the honor of your relatione, and a presumeing of your favour, prompted me to writ more then I should have done. And now in self defence I most presume your pardon also. I did and doe think that some have used me ill as to my dues when secretare, and since ; and have not amended but added to it in my concern in the equivalent ; and tho I silently suffered my low ranking, I hoped I would not have been so litle regarded. And I will boldly say that, if I had minded the vnion less, then I might have join'd, on frequent sollistations, to have stopt some particular persones designs, and ether brought back their rank or advanced my owne. But if in that I had given the least advantage to any

who opposed the vnion, I had now repented more then I doe what I loss by my freends unkindnes. My Lord, had I been worth any esteem, what I proposed for delivering me from some uneasines had never been of prejudice to any publick concern; and this I did too sollicitously represent to Sir David Nairn, and by him to others. I am sensible of his kindnes, and am so of others contempt. But I am sorry that I troubled yow with the faggend of that matter. I shall have patience in hopes of a just event, and on fur[t]her I shall have as litle as I can.

My Lord, I earnestly concurr with your Lordships prayer for the happy event of this parliament; and, with other things, I hope they will consumat our vnion in all its essentials, so as not to leave gapps at which malignant rivolets may find entry to sapp our works againe, which I am sure is waited for. But I hope the wisdom of a Brittish parliament will be more sollicitous to prevent tendency to breaches then any comissiones have been. No doubt her Majesty did weell not to medle in what was comitted, and I hope that will make them as carefull to shunn partiality. I can not regret that prudence is so wary of angring 18, and so cannot but thinke that the samne prudence will not irritat twice 18. As to the toleration, I dare give no advice. To propose it might anger some governours; the want of it will, I am sure, anger many thousands, and will give ane handle on some occasiones to some who are already anxious to increase disaffection to what I am confident your Lordship and many good men have helpt to establish for Britains good. Your Lordship is fair in the right to be against too bold stroaks or too apparent alterations; yett, on the other hand, that things should grow heavier on dissenting protestants heer, or old Torie expect less justice heer then they hopt from the equality promised by union, may be heavier on the effect then is (perhaps) imagined.

It may be this is a foolish fear; for the fearing north may hope for no

heavy hand in a government, when many thousands (as is said, for I have it from Modie) in the west have in bodies issued out declarationes and associationes against parliaments of Brittain, Q. A. K. J., and all their servants and associats; and yett farr less noise, or nottice of this, then for the very lowest of the people in the parish of Dingwall protesting or interPELLING a Presbitry to force a minister on them without their call or consent. I would think both guilty; but, in comparison, I wonder a litle at severity against the one, and not a hush of the other. But many advert to it with joy; I swear I doe not.

My dear Lord, I have ever hated factions, clubing, and squading, and I curse the inventars of Whigg and Tory. But God keep a parliament, who should curb these names and things, from supporting, much more from descending into them. I hate whats advanced by any of them to divid protestants, or mak divisive chink in Brittain, whither it be self-designing parties, by preestry, or parties. Lett all these unchristned names perish and extinguish, and may we find the true effects of vnion. My Lord, I did formerly trouble your Lordship with a pernicious design, said, and more as said, of procuring from the Queen to make the Lord Ross in the west to be Earl of Ross in the north, and so to subject as much as tenn Lord Rosses to one, and both steall from the Queen many good vassels from the crown, and many good protestants from the church, and to make these vassels to the Lord Rosse and converts to Mr. Welsh and Mr. Camerons religion, *à la mod* of West, for on that score 7 ministers are importunat in their prayers for this donation from herr Majesty, and the consequent reformation. I assure your Lordship, as secretar of state, as a Scots peccr, and as a freend and relation to very many concernd, that very many would esteem this no less then a forfeitur. And as the interposing of men twixt the crown and its vassals is against law and all prudence, ether by making them vassals or fewars, especially to less men

then themselves; so to make any, the Kings second sonne excepted, to be Earl of Ross, is against ane very deliberat and express act of parliament, printed in King James the 3d acts; and I hope your Lordship will excuse my acquainting yow of this designe, both as a concern of the crown, of the state, and of very many noblmen and gentlemen, and, amongst others, very much the concern of, my Lord,

Your Lordship's most humble and most faithfull servant,

CROMERTIE.

My Lord, the best apologie I can make for this very long letter is to promise to amend, and yett not by a totall silence; and, on the other hand, I doe not expect but forbid answers but when yow please, as to what yow please, and a[s] short as your Lordship pleases.

291. BARBARA MACKENZIE to [her Uncle, GEORGE FIRST EARL OF CROMARTIE].

[*Circa 1707.*]

MY LORD,---I took the freedom to writ in sommer with my husbands brother to your Lordship, who owns himself much bound and oblidged to your favour and civility, and I no less, who flatter my self with the fancy that a share of them were on my account, for which I render your Lordship my cordiall thanks, and intreats your protection and friendship to him in an action he has befor your Lordship, wherin he pursues Braco for the death of his wife. I need not enter on the detail of the affair, you'll be sufficiently acquainted with it; but one thing I must say, the poor gentilman has but too great raison to pursue Braco in this affair, he having occasioned the death of a very good wife, my particular friend, their being no room left to doubt, but his affrighting of her was certainly the occasion of her death, who

was known befor that, particularly to my self, to be one of the strongest and healthfullest women in the countrey. My Lord, I must sollicit your favor, and beg your justice, not only in my brother-in-law's behalf, but likewise in my own and all women who are bearing children, for how can we secure ourselves against the being affrighted out of our lives, if this go unpunished? These people with whom my brother has to do, boast so much of their wealth that they undervalue and despise men of meaner fortunes, and think to do all, and secure themselves against all events with their money. But I have no fears on that head, being long agoe convinced of your Lordship's judgement, integrity, and justice. My Lord Achintoulle, who presents you with this, can inform you better then any man, having been witnesse to all the sad tragedie; and I'll assure you, my Lord, that nothing, no, not his sons concern, will make him say any thing contrary to truth.

I'm always glaid to hear of your Lordship's health, and wishes and prays for the continuance of it. My husband kisses your hands, and longs to be known to you. My sister Mary do's the same, but particularly, my Lord,

Your most obedient neece and humble seruant,

BARBARA M^cKENZIE.

292. [GEORGE FIRST EARL OF CROMARTIE to JOHN EARL OF MAR.]¹

10 November 1707.

MY LORD,—Now that I despair of ever finding too much court favour, and that matters which ly in any sphear above my assignd post, and yet your Lordship desyring me to writ sometymes to yow, my duty to your Lordship

¹ Original Letter in Mar Charter-chest.

and to your station is to tell yow the most notable of the litle passages in our court; for I think the secretar may, if not should, know what passes in all courts, and this requiring no return, will render what I writt the more welcome. This day one James Gordon, a sonne of the quondam Lord Achintowl, had a persuit against Duff of Braco for comeing with 29 or 30 armed men to seaz the said James on account of a ryot committed by him on Alexander Alexander. Braco defended himself, as beeing oblidge, as a baron, to seaz any comitters of ryot, as also he had the shirrefs warrand to search and seaz the said James. The advocats for James alleadges this to be a gross ryot in Braco, and ane infringing of our act of Habeas Corpus, etc. But, unhappily, by Braco's clamorous irruption into the house, his lady, who was a while befor brought to bed, did from the fright fall into a feaver, and dyed. Now that which is notable in this process is, that Braco did raise a lybell against Gordon for raising so scandalous lybel against him, and, befor any procedur, he pleaded that Gordon, the persuer, should also enter the pannell. Go[r]dons advocats clamord against it. Now our law is, that if the party persued doe raise a lybel on a criminal conclusion different from what is persued against him, then both enter the pannell. But it beeing persued only because of the lybel persued Braco, untill wee judged the lybel, it was ane anticipation to sustain a lybel against the first principall lybell befor wee did take the principal lybell in consideration, and heard whither the truth of it was proved or not. The Lords made Gordon also enter the pannel, which makes men to thinke that whoever is persued criminally wil, in example of this precedent, draw all persuers in to the pannel with the criminals, and oblidge him to find caution. Wee are next day of court to hear them on the principall cause. This I think new, else it had not been sent yow.

293. THE SAME to [THE SAME].¹

6 December 1707.

MY LORD,—Tho I have so litle to say that its a sham[e] to trouble your Lordship with writing, yett I am unwilling to be forgott by yow, tho I find I am by many : and, or very long, wee will be forgott on this litle stage, which now appears great, but to the considerers it is indeed but few degrees from nothing, which is a comfort to us who are made uneasy in it. I beleeve your Lordship knows from many all that passes heer. And without much information, it is easy to guess that many, yea those who are weel pleased with changes and sinking of courts and offices, will yett exclaim against what is, or will be done. Wee are alread[y] talking of futur elections, and its probable the cast made of putting severall elections in some hands to the prejudice of others, will bring foorth fruit, litle perhaps to the satisfaction of those who put them in the capacity. And indeed many of these who wish weell, and would doe no ill, are not fond of beeing elected, yea refractory ; and such think that, after serving zealously enough for the vnion, yet seeing novo-converties most cares'd, and good rewards for short service and litle for older, and that these whom they assisted are sett on the ascending spocks of the wheel, they will look on till they see how the motion pleases those who placed them there. My Lord, ther is a case fallen out wherin the Earle of Butes sonn, and perhaps my futur grandson may have a plea, tho without breach of freendship ; and so each will doe for themselves. If any gift of the non entrics be sought, I intreat to be heard ere it be so ; and, if I may presume, I intreat yow to offer this short desyre to herr Majesty that shee may ordor at herr pleasure : for it is, tho no great matter in itself, yet

¹ Original Letter in Mar Charter-chest.

as to these concernd, of great importance, beeing for Sir George M^cKenzie of Rosehaachs estate. I have taken the liberty to inclose with this a coppie of Sir Georges nomination. Who pleases to read it, should advert that, generally in all taylies, and very carefully is it cautioned in this, that where there are steps and degrees, the prior is to faile and be extinct or the succeeding cann come under consideration ; and therfore, if there be any thing or condition or quality adjoined to any one degree or branch, these doe not affect the subsequent, much less the antecedent, unless it [is] so expressly provided. As in this nomination, the eldest sonne of the eldest daughter can never come in to prejudice any second sonne of the second daughter, for the whole course of the taylie [is] in favour of second sonns, and since the eldest sonne of the first daughter can never hinder the succession of the second sonn of the second daughter, and when the second daughter shall have no second sonne, then the eldest sonne of the eldest daughter comes in. But then its strictly provided that it shall goe to the second sonne of that eldest sonne. But at evry other sentence its expressly provided that the generall ordror of the severall degrees be alwayes strictly observed, so that the posterior in any degree can never come in but on a totall failure of the prior and preferable degree.

Nor does Sir George take any regard to actuall existence as to the succession in the heritage ; but, on the contrare, he provides that, tho the second sonne of the second daughter should be existent at Sir George's death, and so might be put in possession as a nearest of kinn, yet if therafter the eldest daughter should have a second sonne, then the second sonne who did exist at the tyme of Sir George's death most presently denud in favours of the *postnatus*, tho it were severall years therafter. And in that case he provides that the second sonne of the second daughter, who might have been in possession because the second sonne of the eldest daughter did not exist, yet

he provides that the possessor shall have and retain the fruits during the yeares that he was in possession. But this allowance of the fruits *percepti* is provided to be retain'd in no other case. And to evidence that Sir George did not meane any advantage to ane existent in prejudice of a prior degree afterwards existing, the said mentiond provision of its reverting to a prior degree existing thereafter is as clear as words can make it, and so does also the provision to the eldest daughters second sonne, and 3d, 4th, 5th, etc. sonnes. And in case of failur of all second sonnes, then in the next place its provided to the second sonne of the second daughter, and to the 3d, 4th, 5th, etc., of herr body. Yet some lawers put these imaginations in the Earl of Butes head, tho his best advocat, viz., the Queen's Advocat, laughs at it. However, my daughter-in-lawe herr beeing with child settis a stopp to possession and all pretences, till that come to appear. But least advantage may be taken by obtaining a gift of nonentries from herr Majesty, as Sir William Bruce did in the action twixt the Chancler Rothes and the Earl of Leven, which gift did put both to a vast expence—yett the Lords decieded against the chanelers gift, and put the existing heir in possession, but on caution to refund all the fruits,—which made Sir George expressly provide against the restoring of the fruits. My Lord, I confess this is ane impertinence to take up so much of your tyme with a law lectur on my sonnes affaires; but he is of ane Erskine, and of a family which owes to yow and yours all the service they can pay, else they will not be hawks of the right nest, nor of the fixt inclinations of,

My Lord,

Your Lordships most obedient faithfull servant,

CROMERTIE.

My Lord

I am of a company at Arthur's
Keeble. viz: E Northcote. Lt / J. Foster. Lt -
Grange. James Esq. and, & David, both
of Gunn, Boyce (in his prime, as a
fyrst man, & y^r Lps / servant, written
hitherto. They are not all all, nor
any of them (for ought a poor mortal
can discern) altogether for the mea-
sures of the squadron: for only I am
not resolved; But it is, as you
direct me. But this is my temper
in a merry meeting: if you fall in-
full, I will be very stout; if not;
proportionably: y^r Battalions ~~and~~
& friends. & for others as oc-
-casion offers to
C.

13. Decr

1707

Northcote bids me tell y^r Lps
that as loading of this, the
whole glass gunns are fyred
at y^r head.

294. THE SAME to [THE SAME].¹

13 December 1707.

MY LORD,—I am of a company at Arthur Reeds, viz., Earl Northesk, Lord Anster, Lord Grange, James Erskine and David, both of Dunn, Boysack (in his prime as a Fyfe man), and your Lordships servant, writter heerof. They are not all, nor any of them (for ought a poor mortal can discern), altogether for the measures of the squadroni. For me, I am not resolved. But it is as yow drink me. But this is my temper in a merry meeting—if yee fill me full, I will be very stout, if not, proportionably. Your battalions servant and freend, and for others as occasion offers to C.

Northesk bids me tell your Lordship that as closeing of this the whole glass gunns are fyred at your hea[l]th.

295. THE SAME to [THE SAME].²

17 Januar 1708.

MY LORD,—Haveing wearied my freends with fruitless complaints as to my self, and therfor left that trade, I now come to act in another scene, and to intreat for my freends, *vale que vale*, as old Squire Meldrum did sing in the dayes of yore. My Lord, I have a nephew, Mr. Colline Campbell, sonne to the late Lord Arburchill (who in the generall opinion is a very pretty young fellow, and who spils good likly if he be not), and hath the honor to be related to your Lordship. He hath strong inclination to be a sojour. There is an opportunity to doe him a good office and ty him to your Lordship's service for ever, viz., if he can be preferd to be Captain Lewtenant to the

¹ Original Letter in Mar Charter-chest.² Original Letter in Mar Charter-chest.

Lord Polwart, a place now vacant. Amongst other better arguments, allow at least a cipher to add to number, and sometymes (on the matter) to weight ; that is the earnest solicitation of, my Lord,

Your Lordships most obedient humble servant,

CROMERTIE.

My Lord, I hear that my (no very invidious) office as justice generall is talkt of as ambulatory. I'm sure that in law it is not, without a crime ; and if the Claime of Right be a hedge, it is farr benn in it.

296. DAVID FINCH, SECOND EARL OF NOTTINGHAM, to GEORGE FIRST EARL OF CROMARTIE.

London, February, 1707.

MY LORD,—I understand by my Lord Wems that I still live in your Lordships memory, and have the honour of some share of your friendship. I hope I shall not presume too much upon it, if I take the liberty to ask that as a favour which probably your own inclinations would lead you to ; which is, that the Duke of Roxburghe may have your assistance to be in the number of peers to be returnd to the next parliament. I am so proud of his alliance, and so pleasd with his generous resolutions of promoting the welfare of Brittain, that I think my selfe obligd to serve him, and very happy that in this I shall serve my country too, if you can make it his duty to be here, where I shall have the satisfaction of his company.

I believe you may have as many partyes in Scotland as we have here, and I do not know their different views and interests. But methinks all good men should agree in this—that those are fittest to serve their countrey who preferre the publick interest of Brittain before the private advantage of themselves or any party. I am so assur'd of your Lordship's zeal for the happinesse of

these united nations, that you will take such measures as shall most promote it; and this gives you so iust a creditt with so many of your country that your favour will be as valuable as it is obliging to those to whom you shew it. And therefore, besides what I have already askt, I must also beg for my selfe the continuance of your good opinion, and to be esteemd ever, with great respect,

Your Lordship's most obedient humble servant,

NOTTINGHAM.

Earl of Cromarty.

297. [GEORGE FIRST EARL OF CROMARTIE to JAMES DUKE OF QUEENSBERRY.]

Copy.

9th March 1708.

I HAD the honor of your Graces letter this morning, wherin yow notice my former zeal for the fishing as a consequent of what I had for the Vnion. My Lord, I owne both; and the first as ane effect of the Vnion, if prosecuted; which (if prosecuted by right methods) will prove to be the best appropriated foond which Brittain can have, to establish a lasting trade which depends on no other prince or state, and a trade that none can take from us, and wee without injustice or struggle can take from others. But much of our successe in it will depend on this—that Brittain give all the immunities to fisheries which Holland doe[s] give. Yett if this be a hard paw at present, at least great incouradgment should be given to all salt-makers for their makeing of salt upon salt. Of this I did writ to a salt-master and ane admiral; and your Grace may beleieve it is of a nationall import. Allow me to touch what is perhaps of higher concern. I came to the advocat's lodgings on the 1st of March, knowing nothing nor hearing of counsell, wher were letters directed to the advocat in some things relating to the feared descent. Severall things were proposed for security against it; as,

takeing security of Highlanders and Borderers against robberies, depredations, and breack of peace by bands, mostly consisting of 200*l.* sterling or under it; and that the forces should be drawn together; and that the meeting houses, especially in Edinburgh, should be shutt up. This had made me think the matter was a jeast, but that I saw by the secretars letters and the Queens proclamation, that there was more in it then service book or no service book. I wanted not hopes of the enimies designs beeing of no great danger, if they were to land in Scotland. Yett I feared greater evils, since England and Holland were so alarumd by it, and therfor I humbly thought that the securing of sevn or 8 would disappoint the descendants more then a whole Synod. What I said was as litle notticed as my self, and (I'll sweare) few things can be less. So care and strict inquiry was appointed for the meeting houses, and some matters of inferior rank were spoke to. But as to invasion, this called to my mind what I hear ane honest gentleman with yow above said—that our councell served for some use against episcopall clergy. I did writ my litle opinion of securing persons of more danger then dominees, to a great man in court; whither with nottice or not, I know not. This day the Queen's and secretar's letter did advance my poor advice; severall things were said not worth repeating, and partly by me. But the minits, which I doubt not the persones trusted will send, will inform more as my letter should. I condescended on 4 or 5 of my relations to be secured, and I confess I think they were as dangerous as the three Lothians. But I differd from some in the method of securing them. I would have had it done by a surer method then a paper billet; but the billet way would render them more criminall, tho perhaps the design less effectuall. However, what is done, the minuts (no doubt sent) will inform. My lord, a French descent is of high danger; and to irritat people who have taken alleadgance, and without some evident default, may irritat many and oblige

none ; and so will the closeing up of the meeting houses, which are as thrang as Edinburgh kirks. But I was for shutting up all who did not pray *nomi-natim* for herr Majesty. But it was plainly told they were not the worst curats, and that there was more danger from these who did take the oath to Queen Ann, and did not take it to King William, then from any others. However, if these named be effectually (tho civilly) secured [and] be taken, there will be litle if any stirring in the Hig[h]lands. If privat or factious pieks be the ruell of judgment, I should be in England, and will else wher.

I assure your Grace I am for the Vnion and in its compleatt capacity, and against the persecuting, *i.e.*, the designs that are contrar to its fundamentall design of vniting the interests and hearts of all Brittain, as much as can be. And I am against the keeping up of what will keep up clubb governments and bones of contention heer. I shall add to this long letter, that the matter of the accounts of Exchequer, with its tacksmen and the conveyance of that anecdodot may be the subject of another letter, if I did know your Graces generall sentiments, or the probability of just effects by the inquiry. Adieu. Excuse so short a close so unsuitable to your Grace's character, tho perhaps fitt for one who was a true freend and servant to your family and yow.

I was goeing up to London to pass in quiet some of my melancholy houres ; but the publick circumstances doe not now permitt it, nor my present ones weell allow it.

298. [THE SAME] to JAMES FIRST DUKE OF MONTROSE.

Edinburgh, 24 March 1708, 6 a'clock.

MAY IT PLEASE YOUR GRACE to accept my service and best wishes : the matter of fact yow have from better hands (and deservedly) more trusted then mine. This whole effaire of the invasion is a mistery to me. It seems probable that the French King hath devoted this cargo to a diversion, to

advance his designe on Spaine. Its weell (at least as to us) that Sir George Bing did hast to force the invasion from landing at Aberlady; for, had they, I had left Edinburgh, and so had others of more import. For what would they not have done untill force had come from England? Wee have no account of wher Fourbin is. If he land on the east sea and farr north, the farther the better: England's forces will stopp or ruin them or they can come farr south. For, in my litle opinion, all benorth Tay cannot furnish them 600 horse, but they may 10,000 foot, at least—too hard for us, till south Brittain help us. So our hopes are owed to the vnion, whoever gett the thanks for it. But, no doubt, the King of France had two strings on his bow: if Forth faile, goe north or west where yow can best make a diversion, and so yow make a diversion, burn your ships, loss your 5000. But ships and more men, at least as many as will make your retreat, shall meet yow on the west sea to give yow retreat, and no expense nor travel lost. For all the English sea forces are drawn to the north east coast of Old Scotland, which will [have] a long march ere they reach Aire, or Cumberland, or Irland. My Lord, of this I did, by the second sight, forewarn the D[uke] of Marlburrow, above 14 dayes ago; but I know not if my letter came to his hand. If my notions be groondless, if the King of France hath sent to come down againe, none shall be glader then your Graces most humble servant. I had trucked up towards Tunbridge, had not this grand effair occur'd, tho God knows of litle use, heer or there.

But out stept ane old knight,
Call'd Lockart of the Lie;
And he did swar—
A step he would not flee.

I have no tyme to read this over.

To his Grace the Duke of Montrose.

299. JOHN EARL OF MAR to [GEORGE FIRST EARL OF CROMARTIE].

Whitehall, 20th April 1708.

MY LORD,—I beg leave by this to acquaint your Lordship that the parliament is dissolved, and that the writts for a new parliament are speedily to be issued, so that there will be a new election of the peers. There are severall of us who are your Lordships friends neccessary detaind here longer than we expected, but we are resolved to be in Scotland as soon as possibly we can ; and, therefore, it will be a verry great favor to us all, if yow would keep your selfe intirely free of all engadgements for your vote, untill we have the good fortune to meet att Edinburgh, where we may concert our lists to all our satisfactions. I am, with all respect, my Lord,

Your Lordships most obedient and most humble servant,

MAR.

300. [GEORGE FIRST EARL OF CROMARTIE to JAMES SECOND DUKE OF QUEENSBERRY, Lord High Treasurer.]

8 June 1708.

MY LORD,—Patience and silence is some tymes a just debt, but by being perpetuall they may come to be nothing. This moves me yet once to trouble your Lordship with a complaint. And since I doe this more for redress than for revenge against those who are the apparent instruments in my wrong, I shall name none—no, not those whose early and deep malice did with great industry prevent my being called to attend the Queen, or wait on your Lordship in the first British parliament ; grudging me the honour to trade a stage in whose erection I did at least work with as great diligence and zeal as they

did, or could doe : which hade been far above their power to have hindered, if I hade not first, by assisting their impotence, disobleidged my friends, who were unhappily no friends in tyme to the union, and then obleidged their friends to be my adversars. But, if they have attained their aim and rewards, I have mine in the union. My Lord, I shall not pretend to merit, but would think my self very unhappy if, either by my own demerit or my enemies undeserved malice, I should fall utterly in oblivion with my gracious Queen, or under any misconstruction with your Lordship. I am not altogether sunk to that dispair, but cannot help some fears of my being in some worse state than I wish, and (excuse the vanity) than I deserve. I gather it from this, that of what her Majesty was graciously pleased to order for me as her secretar, whilst I was in that office, and by reiterated commands since, I have not as yet received one farthing thereof to this day. And her Majesty having honoured me with my present post in her service, since her royall goodness was such that, I presume, it frighted my enemies to remove me from her service, yet they have made me as uneasy as they could : for, of all my sallaries since I was justice generall till the commensing of the union, they offered me only 300*l.*, treating me thus both with injury and contempt, telling me in scorn that the equivalent would repair all my loss. And no doubt it would readily have pay'd me my hundreds, if Golia's hade not swallowed so many thousands. My Lord, I will hope that your former tho undeserved kindness will excuse my passion ; for I did suppress it when I might have made some noise, but perhaps with some publick inconvenience, at which rate I would not buy my redress, much less my revenge. I fear I have done too much when I have touched on such a subject to the Queen, and enlarged so much upon it to your Lordship. I cannot but be glade that these former dispensers of the Queen's money are now no more so ; and I hope that her Majesty will look to my reimbursement (for I can swear it was all expended in her service,

and is a debt on my little fortune); and I shall be glade to find that the remaining equivalent can doe it, or the money which former tacksmen and managers have retained (as I am informed) contrare to their commissions and to the lawe, which many wish were inquired after, but by inquisitors who were not their patrons, nor by those who are angry at them, whereby I exclude my self, and would be a complainer rather than a judge. My Lord, when my payment as justice generall commences on the British treasury, I know not; and that when others are pay'd and I am not, I imput it to my self, who did not put your Lordship in mind of it. It is 600*l. per annum*. I was never ane adviser, as I presume your Lordship may remember, for too large sallarys to Scots ministers; these having, during my long memory, been the great motives, if not the great causes, of our factions, and the courts disquiet. But, at the same tyme, allow me to represent to your Lordship that the justice generall is not only a post of the first rank ever since we was a nation, but also of great trust and importance, he being the first judge in that court which is intrusted to the concerns of the crown, of the government, and of the lives and fortunes of the subjects, whilst the session is only intrusted with common pleas and privat affaires. He cannot goe oft nor far from Edinburgh, since that court sits weekly for 6 months in the year, and important emergents doe oft occur to that office. And now twice in the year it is his duty to go on circuit, a method which I alwayes approved and advised, and the omission whereof was of ease to the judges, but of disadvantage to King and country. And the crown should not grudge the charge, since this court is most properly the crown's court. My Lord, pardon me to represent that, if sallaries be augmented, to wish that a proportionable consideration may be hade of this office for its honour, and that [the] officer in it may not lose, whilst others which have not half his trust, nor half his traivell, are great gainers; tho the justice generalls seldom residence at court was a cause that,

when others were advanced in sallaries, he did stand still. My Lord, this is selfish, but it is also for the station and the shame of ane under value. My age can not allow me to enjoy it long; and my stock, which was never encreassed by the publick, cannot now be much so. I am like these impertinent visiters who, being seldom admittid, doe revenge themselves by staying too long. My Lord, what I have represented, I hope you will lay it before her Majesty, as far as you think proper: and I beg your pardon for all the indiscretions of this tedious letter, for I am

Your Lordship's most obedient and most humble servant.

Indorsed: "Letter to the Lord Treasurer."

301. [JAMES SECOND DUKE OF QUEENSBERRY to GEORGE FIRST EARL OF CROMARTIE.] Copy.

Whitehall, August 25th, 1708.

MY DEAR LORD,—I'm now a long time and severalls in your debt. You know I'm pritty leasie at writeing; but beside, I never like to write but when I can tell some thing worth the wheile, which I con'd not doe since I cam here till now. The doeing of things depends upon others who have a vast dale to doe, and that both putts our affairs out of their head and keeps them from minding them. All I can doe is to putt them in mind when occassion offers; so I hope any delay or stope in affairs will not be imputed to me, tho I hear some people are not so charitable, but blame me for the delay of the orders concerning the circuit, which is a leitle hard. I had the honour indeed to transmit the memoriall, but then it was out of my hands; and, had it not been my regaird to the service, and my respect to your lordships of the justiciary, it was non of my bussiness to meddle any further in it. And since, notwithstanding of that, I did all I con'd to have that

affair forwarded, tho even a litle officious in me, it is hard that the delay in it shou'd be laid to my door. But this, as well as other accusations in which I was as innocent, shall not keep me from doeing all in my power to forward any service wherein my Queen and countrie are concerned. The proclamation intimating the circuit was done before I cam here ; and I did not know but the other necessary orders might have been given too, untill I heard from Scotland. Munday last was the first time after that I gott the treasurer fully discours'd concerning the memoriall. He promist to write to my Lord Glasgow (the exchequer being up, and the barrons out of toun) to imploie a fitt person to be treasurer or cashier to the circuits, and that he wou'd send credet for the money. So I hope that affair is putt in such a way that every thing concerning it will goe right. His lordship thinks the lords' sallaries ought to be made sufficient, which he doubts not but the Queen will doe ; but that will take some time to order and to gett finish'd.

I had my Lord Fountainhall's demission, with which I was indeed surprysd and sorie for. I presented it to the Queen, but her Majestie wou'd not receive it, and hopt he wou'd consider better, and not demitt an office in which he was so capable and cou'd doe such service to his countrie. So I have return'd it him, and I hope your Lordship and the other lords will prevaill with him to keep it. It is very generously offer'd by your Lordship to goe the north circuits, by which the service wou'd not suffer if he did not goe.

I spoke to the Queen and the treasurer of your Lordship's memoriall concerning your fishing, and her Majestie thinks your demand reasonable. The treasurer took it from me very cheerfully, and promist to mind it, for all papers concerning any part of the revenue pass his hand. I spoke also of your other memoriall concerning what's oweing you by the goverment, but he said that he cou'd say nothing to it till once he had spoke with the barrons

of the exchequer. I wish I cou'd doe your Lordship any service in this or in any thing else, but I'm affraid the Queen will not pay any debt that can be charged on the equivalent. The barrons are now come, and I shall putt the treasurer in mind to speak to them of it.

We are in great expectations of news from abroad, which is all I'll now trouble you with, but that I am, with all sincerity, my dear Lord,

Your Lordships most affectionat cusine and most humble servantt.

Indorsed : " Copie—To the Earl of Cromarty, August 25th, 1708."

302. [GEORGE FIRST EARL OF CROMARTIE to JOHN EARL OF MAR.]¹

4th October 1708.

MY DEAR LORD,—Never was man more weary—at least not I, who was never a very lazy worker in any station—then I am at this hour. About our justice court, it hath really cost all of us much pains, travell, and expence; and, if hand had been holden to us, it had been sett on a better foot then ever it was heer. If matters stand on a right base for North Brittain's interest, it is the court of most interest, comparatively speaking, now that there is no councell: and in ane absolut consideration, it is the court wher all the concern of the government lyes directly; the privat interests betwixt man and man beeing the trust of all the other courts. And give me leave to say that it hath been but scurvily used now of a long tyme. My Lord, I scribled a letter immediatly after wee had ended our narrative of our effaires, and was then very very weary. Now that I have recoverd breath, I called to mind that, as this matter of the baffes of the justice court makes great noise heer, so I find it is ane intended handle on particular designs. Wee have said nothing, but have narrated bare point of fact to vindicat our selfs, which cannot faile

¹ Original Letter in Mar Charter-chest.

us, except it be for our supererogation. But the Lord Ross hath been these 3 dayes very busy in collecting all the baffes, affronts, and national disappointments by it. I have been angry, but yett it hath not exceeded *moderamen inculpatæ tutelæ*: not that I am insensible, but I have ill will to break of absolutly from my old freends. I send yow word of his busy fidling, that yow may be warnd of his design, which may be in concert with wiser heads. I hear he hath taken up a Porteous roll of accusations. If yow have not better heads concernd, I doe not pity your freend: and yet, for all that D[uke] Q[ueensberry], yowr Lordship, and others said to me to hinder him and his from beeing members of parliament, which I think, yea, am sure, is legally done, yet both exchequer and session did and doe sustain all his interest in that matter against

Your humble servant and old freend.

I have been borrowing money just now to pay the Queens servants goeing to the circuit court, who els would not have gone. This was to me *extra provinciam*.

I hear that the lord treasurer hath ordored payment for others, judges in that court.

303. THE SAME to [THE SAME].¹

Edinburgh, 26 October 1708.

MY LORD,—Your Lordships haveing writt so litle (if any) as to our circuit courts made it dubious if I should have troubled you with this short precursor of what I doubt not all of us, when mett together, will give to the Queen and her ministers, and to your Lordship, when they all return hither.

¹ Original Letter in Mar Charter-chest.

Wee are returned, and weell, except my old self, which I attribut more to that epithet then to any more trouble then evry one els did take, or indeed the task at this suddain occasion did require. My lord, I dare say wee have done all wee (or perhaps any others) could doe on this occasion; for (one too ordinar morall sinne excepted) wee did not find in these farr largest districts—viz., Aberdeen and Perth, which comprehends all twixt Forth and Spey—we did not find 20 accused of crimes, and no proof against 6 of the twenty. And wee have discoverd severall things in these matters, which necessarily require statutory correctory lawes, aryseing from the severall new laws made since these courts were in desuetude, and partly from our constitution in and by the Vnion. But I will not adventur to offer or mention my litle thoughts on particulars until our colledge meet together, and then your lordship may be farther troubled with a letter from, my dear lord,

Your Lordships most obedient and faithfull servant,

CROMERTIE.

This is writt with a bad hand and a wearied body.

304. [SIR JAMES MACKENZIE, LORD ROYSTON, to his Father, GEORGE FIRST
EARL OF CROMARTIE.]

London, 28 October 1708.

MY LORD,—I came hither five or six days ago, but have not seen manie of our statesmen yet. We are now all in tears for the death of the Prince, who dyed this day about one, afternoon, at Kensingtoun. His ashma and manie other diseases carried him off, and, indeed, it is much he kept out so long. Your Lordship will easilie believe the Queen is inconsolable; his breath was no sooner out then she came streight to St. James. This will no

doubt produce considerable changes and speculations. They talk that Pembroke will be Admirall, and Wharton Lieutenant of Ireland, which he has long aimed at.

Now that God has blessed me with a boy, we must endeavour to get him his own estate. I must lay the conduct of that important affaire at your Lordships door, which will be much better managed then by me : so I intreat your Lordship to call Mr. Innes, who will bring Mr. Macleod, Sir Walter Pringle, and my other lawyers, to waite on your Lordship and my Lord Prestonhall, to give advice what is to be done either by raising briefes for serving him heire of tailzie and provisiōe to the late Rosehaugh, or by raising a declarator for denuding my Lord Mount Stewart ; in prose[c]uting which [I] would have no charges spared.

So soon as I learn what our Scots statesmen are doing, I shall not faile to acquaint your Lordship.

305. [THE SAME] to THE SAME.

London, 6 November 1708.

MY LORD,—I delivered your Lordships to my Lord Wemyss and Sir D. Nairne, and shall be sure to keep them in mind of the contents. I am confident the Queen will have another notion of it then what Sir David seemed to have by his letter to your Lordship ; for they are hardlie worth asking, far less refusing, which I easilie perswaded Wemyss of. But the Princes death will put a stop to all bussiness for some time. Its now confidentlie talked that the treasurer and juncto (so they call the seven lords) are fullie agreed, by which they are to have the disposall of everie thing. Its lookt on as certaine that Pembroke is to be Admirall, Wharton Lieutenant of Ireland, and

Sommers President of the Council, Sir Richard Onslow speaker : and its whispered that (115) and his partie will be given up a sacrifice to please the (21), that they make room for their northern friends, which, to be sure, will afflict your Lordship, because of the many obligations you have had to (15), etc. The parliament will sitt on the 16. I have given in my petition, and my case is generallie thought to be faire. My Lord Duffus and his ladie are come, but have not seen any bodie yet ; they say she is a hansom woman. The prince will be interred this day sevenight. We have nothing materiall from the armie, and we know not when the campagne will end, nor how. However, we hope all will be well, and that, how soon the citadell is taken, we shall drive the enemy from the posts on the Scheld, and, if we can, from Ghent and Bruges. If you please, I shall send you the prints, and, to save charges, get the letters franked by a member. My absence does not at all make me uneasie as to my process, since your Lordship is my agent, but I want to hear what is done in it.

To the right honourable the Earl of Cromertie, Edinborough.

306. [THE SAME to THE SAME.]

London, 11 November 1708.

MY LORD,—I have litle farther to trouble your Lordship with as to British affairs ; everie thing being at a stand upon the Princes death, whose body is this night to be caried to the painted chamber, and interred Saturday next, privatelie, in the same manner as King Charles 2d was. Its thought the Queen will come to council, Sunday, when the admiraltie, etc., will be settled in the same manner as I mentioned in my last. The Queen hes renewed Wemyss commission of vice admirall of North Brittain, the former

having fallen by the Princes death. Wemyss is to meet with [16] about [33's] bussiness, and [35] and [36] are to be with them. Theres an idle storie as if D[uke] Ham[ilton] were to be master of horse; but this is verie improbable, since Sommersett will hardlie part with it. The parliament certainlie meets, Tuesday next; but when Marlborough will end the campagne, is yet as uncertaine as ever. I find Kilravack wants a great manie papers that may be usefull in disscussing his controverted election. He hes writt to his father for some of them; and I promised to desyre the favour of your Lordship to send such as you have relating to that matter, viz., your charter of Davachearlie, by which it will appear that the legall is expyred; an extract from the register of signatures of my charter of Drummeddat, etc. They may be put in a wooden box and sent by the carrier, directed to Mr. Maculloch's, in Bedford Court, Covent Garden, and I think will come soon enough. I have lodged my petition. My greatest loss is the want of witnesses to prove my allegations, since the house of commons have little regard to instruments or depositions taken elsewhere; but we commoners are verie hopefull to prevail in our maine argument against peers eldest sons. I believe it would be to no purpose for [33] to write to [14], [16], or any other, in favours of [36] for the L n p n d m / t f d z x d z n v r [31]; for tho it is delayed, yet they are all preingaged in favour of others. I know not whether to wish [33] here or not; for, tho, on the one hand, it would further [36] interest to have him in [2], yet his presence is absolutelie necessarie elsewhere in the grand affaire with [25].

We have a report, but needs confirmation, that the King of Sweeden, after Lewenhopt defeat, atackt the Czar and intirelie rooted him. Your Lordship mentions the ryot committed by Ballnagown. I wish we had the particulars. It may be of use to counter theire false stories of our attempts at the electione, and afterwards against Fowls; and I would know how the

Tayne election went. If it were possible, I wish I had an extract of Strathnaver's age out of the books of Dunrobing. I hope they are not still kept out of the way. I am afraid the reduction of Mountstewarts service will be long a discussing; but, since there is no other way to do it, there is no help for it.

Since I am not returned a member, the letters directed for me will not be exeemed from postage. Therfor let them be directed for Hugh Rose of Kilravack, Esqr., member of parliament, to be left at Oldman's coffee house, Charing Cross, Westminster, who promises likewise to frank the letters I send to Edinborough.

The additionall cyphers are explained in my wife's letter.

I was forced to tear the half of the sheet because it was abused.

307. [THE SAME to THE SAME.]

London, 18 November 1708.

MY LORD,—The house having mett to day, the former commissioners sent for the commons, who came and presented their new speaker. Then my lord chancellor made them a speech in the Queens name in the usuall straine, setting forth the advantages gained this campaign by the takeing of Lisle, Sardinia, Minorca, etc.; desyring money, recommending good laws, especiallie such as might render the Union more compleat: to-morrow we shall have it in print. Duke Hamilton made a long speech, complaining of the undue methods in the election of the peers, and craving redress; and their lordships have resolved to take that affaire under their consideration, Thursday next, and have ordered Sir James Dalrymple and Mr. John Mackenzie to attend them this day month, with all the records and papers relative to that

matter. I believe theire Lordships could not have lighted on two more unwilling to make a London journie. The commons are qualifying themselves, and will do nothing else for 3 or 4 days. They say we shall have a new chamberlane in Kents place. Its thought Manchester (who is come to Holland on his return from his embassie from Venice) stands fairest for it. Some talk of Duke Hamilton to it. I have sent inclosed a print, which contains all that we have materiall, by our last maile. Its thought the cittadelle is by this time in our hands; but the Frensh are not idle, and Brussels is in danger, etc.; in short, this is like to be truelie *la campagna maravigliosa*, both as to its lenth and the new way of acting.

In caise it happen that the commons do not sustaine neither Strath[nave]rs election nor mine, its fitt Sir James Dumbar be spoke to, to continue my friend, as he was before. Both Morton and his brother promise to stand by me.

308. [THE SAME] to THE SAME.

London, 23 November 1708.

MY LORD,—I have not yet been able to see 8. I must endeavour to get some of his confidents to introduce me to him; for, without it, a stranger will have but a cold reception; and, if he will then hear me, I shall offer what is contained in 34 letter. I think the 9^s h e r r p v z h 26 gives a faire occasion to the motion, tho I think a memoriall from 30 would have great weight. There are many obstacles and inconveniencies in 34 coming to [2], but it would most effectually do his bussiness, for, *out of sight out of mind*. The two clerks owe theire journie to a blundering speech of 15. 38 and his colleagues are verie hopefull to defeat 17, etc., in the 26; and 16 and 17 are in danger of looseing theire h n g a h. Now a word of our great news, which I send your Lordship inclosed: all I shall add is that the account comes from General

Earl, who assures my lord treasurer he may depend on the truth of it. We impatientlie look for a particular account of it by some person of note from my Lord Marl[borough]. Everie body must be perswaded that it is of the greatest consequence, and that our heros happie star or angel hes been propitious to him both in getting the victorie and in timeing it so luckilie in the opening of the parliament, and for preserving Brussels, which was capitulating. The French were packing up bag and baggage at Ghent and Bruges, to escape, if possible, through the canall of Newport, in which Leffinghen will be of great use to them. Its thought Mr. Louis must now cry cock, and that Boufflers and his garison will be forced to surrender prisoners of war; so it may be I may see the famous dragoon here this winter.

If 35 get not into 27, I do not see he can expect either to be on 31 or 32, since he hes not x e i r g r h i enough with either 23 or 24.

To the right honorable the Earl of Cromertie.

309. [THE SAME to THE SAME.]

London, November 27, 1708.

MY LORD,—By the inclosed your Lordship will see how far the account of our late victorie at the passing the Scheld is true; but now it appears the French would not stay to be beaten, nor, till they get more courage, are they like ever to stand a faire bout: *quantum mutati*. The commons have appointed days for the severall controverted elections before, and mine will not come in till the middle of March. So I would know your Lordships opinion what to do; for I would gladlie be at home, and yet to be obliged to come up againe is troublesome; but since I am here I will try what justice they will do me for the loss of my place. I will first try her Majestie, and if that will not do—as my Lord Mar gives me small hopes to do, I must be

obliged to give in a petition to the house of commons. Tuesday next we shall know what the commons will do with the peers eldest sons, whether they will throw them out or not. They have alreadie granted her Majestie 4 millions, and, no doubt, will do everie thing thats asked, to which the happie conclusion of the campagne will contribut much. I have been told from Scotland that I am setting up to be a judge, and, if I cannot be it otherwise, to try to get my uncles gown, which indeed I never thought on, and it is much better filled. But after all, considering his age and state of health, it would be no disadvantage to his familie to resign in my favours, and he should comand what part of the sallarie he pleases. If your Lordship thinks this reasonable, try him about it, but not as from me. In caise I can get anie part of your Lordships sallarie, you may send me a letter of attornie to receive it: Mr. Stewart will draw one for that purpose. It's thought we shall have some regulations in our judicatours, especiallie in criminalls, but what, I know not yet. Some talk that my Lord Seafield hes got a pension on the post office, but I think its hardlie yet done. My Lord Duffus gives his humble service to your Lordship. He is fullie bent to relieve his fathers estate if he can, but he will find great difficultie in it, especiallie since he hes missed the opportunitie of entring *cum beneficio Inventarii*. If your Lordship and Prestonhall could prevaill with his brother, Sir James, to do him reason, as he ought to do, it would contribute much to bring that affaire about. And, since the only objection he had not to do it formerlie is now removed—viz., that his brother wanted money to relieve him of his engagements, I hope and wish he would no longer delay it; otherwise he will certainlie suffer in his reputation, and he should consider he is second brother. Your Lordship may be pleased to speak to him, that, in caise there be a new election for the five northern boroughs, he would secure Wick for me, as he verie kindlie did before. I shall write to him on this head.

310. [THE SAME to THE SAME.]

London, November 30, 1708.

MY LORD,—I thought to have given your Lordship an account what fate the question about the peers eldest sons had in the house of commons, but the controversie about the Dumfreis election took up all their time, in which William Johnston caried it against your friend, Projector Paterson. But, Fryday next, we shall know whether Strathnaver and his brethreen can sitt or not : its thought they will be cast out. But whether my electione will be sustained now or not, I know not ; but if it be delayed till my petition come in, which is not before the 27 of March, I hope your Lordship will approve of my resolution to go home till then, after trying what her Majestie and my lord treasurer will do in a memoriall I am to present concerning the loss of my place ; in which I neither have incouragement, nor do I expect assistance from any of my countriemen. Sir David Nairne tells me the Queen is to sign warrant for the expence of the circuits, by which each of the judges are to have 100 lib. for their equipage. I told him I thought it strange the justice generall should have no greater allowance then the restt. His answer was, if your account had amounted to more, he believes it had been allowed, but since it did not exceed 80 lib., he believes your Lordship would be satisfied. I told him you never did intend to make any advantage that way, since you only undertook a tedious winter jounie to serve her Majestie, even when you was not obliged to it. He gives me hopes all on the civil list will get a years sallarie ; but for the 1500 lib., there is but small ground to exsp[ect] it till you come up. I had the honour to see the D[uke] of Roxburgh, who bid me give your Lordship his humble service, and wished with all his heart you were here. Whether he said this in compliment, I know not, but he spoke it with great earnestness and with an aire of sinceritie ; but none

of the other side mentioned you with that kindness. The house of lords were Fryday last on this question—whether the 4 Peers objected against should sitt during the dependence of the controversie. They delayed it till the papers come up. D[uke] Hamilton and Mar had a scolding match about it. Pray keep Sir James Dumbar to my interest in caise of a new election.

Grants and Strathnavers regiments have orders to embark for Holland immediatelie. The last is to stay, and Grant commands both regiments.

311. REV. JAMES GORDON, Minister of Banchory, to [THE SAME].

Banchory, 20 December 1708.

MY LORD,—I have had so many repeated experiences of your Lordships undeserved favours towards me, that the remembrance of them hath emboldned me to give your Lordship the trouble of this line. The case is this. Diverse years agoe I found, by decay of bodily health, a necessity to employ ane assistant in that holy ministration, there being a young man with me who had been our schoolmaster for diverse years, and had by the divine aid [been] fitting himself for the holy function whenever Divine Providence should give him a call. I sent him with sufficient attestation to one of our bishops, in order to his ordination as a presbiter, which was done; and [he] hath officiat in this church these diverse years bygone with abundant satisfaction to all the parish, and never quarrelled by our presbyterian brethren, till within these very few dayes (even since the removall of your Lordship from this countrey) the presbetry of Aberdeen sent him a summons to appear before them upon the account of schismatical practises in presuming to exerce the ministry by a license from the exauctorat bishops, for not praying for the Queen, and for his not being

qualified according to law. I did not judge him obliged to appear personally, since I thought him exempted from their jurisdiction be vertue of the act [of] Parliament, 1695, which priviledged all the Episcopall clergy who complied with the law from owing any subordination to them. Yet he appeared by proxy, which man of law very discreetly told them that he had a sufficient answer for all the articles of their summonds, viz., that he was canonically ordained by those who had power to confer h[oly] orders, and never prohibit[ed] by any law to doe it. As for the other particulars, he exhibited to them ane attestation under the hands of the minister, heretors, and elders, that he had alwaies prayed for Queen Anne; as also ane attestation of two justices of peace that he had sworn the oath of alledgiance, and subscribed the assurance to the Queen. But when the presbetry declared that they wer not satisfied with all this, but wold sentence him as a contumacious person, the proctor in his name appealed from them to her Majesty and her Brittish council. Yea, the presbetry wer as good as their word; for that very day they pronounced a sentence of perpetual silenee as to any part of the ministerial function upon our contumacious assistant, as they termed him, and wrot very imperiously to me instantly to turn him off, otherwaies they wold come and hold a visitation at my church, which I look upon as a direct violation of the act of parliament which so expressly exempts us from their jurisdiction. Now, since I know they will drive furiously, as they have threatned our assistant with the highest censures of the church if he doe not obey them, I most humbly intreat your Lordships advice how I shall behave in that affair: for I think it is such a direct violation of the law which promised us entire protection from them, that it is my opinion that I ought to address some civill judge be way of complaint upon such violators of the law, that they may be punished for their attempte, at lest be restrained for the futur from doing so, since, by that act of parliament, I am only aeeountable to the Queen and council for my futur deport-

ment. And I esteem it a very good providence that we have such a lord justice generall in the time, who is so carefull to see the lawes observed and to administrat justice impartially to all sorts of persons: so that I wold cause summond these violators of the law before your lordships court, if you think it fit; for I am ready to follow any method you will propose. And this is that which I must humbly intreat—that you will let me know how soon your leisure can serve, and I wold need to know it before the next diet of that turbulent presbetry, which is the first Wedensday of January. I know I need to crave pardon for such a tedious missive to one in your eminent station, but I am assured your lordships goodness will overcome all my defects. Therfor I commend your Lordship to the fountane of grace, and rests, my Lord,

Your Lordships most humble servant in Christ,

JAM. GORDON.

312. [SIR JAMES MACKENZIE, LORD ROYSTON, to his father, GEORGE FIRST
EARL OF CROMARTIE.]

21 December 1708.

MY LORD,—I hear now for certaine that 15/ gift for 3000*l*. is passing the seals. He hes either much merit or good luck. But, in short, by giving himself out for somebody he hes imposed on others to believe him what really he is not; and this, joined with his assiduous importuning and flattering [12], hes done his bussiness. Had he stayed at home with 34/, it had been yet to do; and 34/ friends are all of opinione that, if he yet come, something may be done both as to himself and in his interest in [30]. But it must be now or not at all, for if he comes not by the end of January, it will be to litle purpose, and I

doubt not but 600*l*. of his money will be readie here for him. 35 was Sunday last with [12] who asked civillie for 34*s* /, and, as I said in my last, [16] assures me he is verie well both with 9*s* / and [12]. This day the Lords are to be upon theire controverted elections; but, since our two clerks are not yet come, I know not what they can do. Saturday last there was a famous tryall in the house of commons about the controverted electione for Westminster; and, contrary to everie bodie's expectation, one Medlicot, the Duke of Ormonds friend, caried it against Sir Henrie Dutton Colt, a noted court Whigg, chieflie by our members, who unanimouslie were against Sir Henrie on a nationall quarrell, he having appeared vehementlie formerlie against our countrie. This unanimitie of theirs makes them courted by both parties, for 45 votes is for the most part able to cast the ballance on either side. But I do not see how they can long stick together, since they are divided in parties as well as the South Britaines.

Poor Lord Cumbernald dyed, Fryday. I was at his buriall, Sunday, in St. Martins Church. He shortned his days by his excessive drinking of spirits. He dyed perfectlie in his sences, and hardlie knowing he was dying.

I am afraide qksskhz will be fathers sou, loved by everie body but himself. His too great fondness for the odia r is a great grief to his anqm, who could not forbear regrating this to me. I wish he were at hrn againe. George Stewart is here in order to pass his tryall to be eligible [as] a lieutenant, he having served four years. He is in good esteem, and minds his bussiness; and Lord Mark Ker and his officers speak well of his brother John, who we hope will shortlie be relieved. My Lord Duffus brother, John, is turned popish, and taken on with the Frensh, which is a great grief to his brothers. He was captaine lieutenant to Lord Mark. The land tax [bill] is sent up to the peers, and its thought will get the royall assent on Thursday before the recess during the holydays. We have no news from abroad.

313. [THE SAME to THE SAME.]

London, 23 December 1708.

MY LORD,—I delivered your Lordships letter to my Lord Sunderland, with the letter to [9], after filling in the apologie for the misfortune of the ink falling on it. His Lordship is verie well pleased with your Lordships part in that affaïre ; and there was no neccessitie for any apollogie. It seems the commons are resolved to have the whole matter of the invasion and tryalls before them, and have adressed the Queen to that end. Its feared poor Griffin must go to pott, there being particular mention made to know the reason why he was so often reprieved. I wish they may stopp there, for the two Midletons sakes ; but, at the same time that they design to punish the guiltie, its but reasonable that enquire be made why so many innocent men have been so unjustlie harassed, imprisoned, and criminallie tryed. The parliament was this day adjourned for a fortnight. The land tax bill got the royall assent, which was done by commissioners, the Queen not having gone to the house. The commons are resolved to levie recruits by parishes ; but it will only be by recomendation, and by encouragment of allowing them an abatement of 3*l*. out of the land tax for each man, but no penaltie if they do not : so fearlie is our senate to dissoblige our s[overei]gn lord the mobb, and to incroach on the libertie and propertie of true born Brittons ; in which I easilie agree with them. But, at the same time, the parliament will do everie thing to push on the war vigorouslie, and make a true use of our progress this campagne, which, tho long, hes ended gloriouslie by the takeing of Ghent, the news of which came yesterday, and will infalliblie be followed by that of Bruges, Placendall, Leffinghen, etc. We have not yet got the particulars of it, but the inclosed Gazette gives the best and truest account of

any of our prints. The Lords putt of their controverted elections till after the hollydays, because the clerks did not come till last night. Your Lordship hes sent up a long catalogue of books. I am afraide my purse will not reach them, and I believe it would be prettie hard to find them out, few of them being of my acquaintance. I shall send doune some platanus plants, etc.

I have presented my memoriall to my lord treasurer, and in a day or two thereafter he told me he had read it, and would enquire into the matter of fact; which was only that I had my office for life, and that it is taken away by the Union. I have spoke to Queensberrie, Mar, Wemyss, and Sir D. Nairn to attest the truth of my allegations; but what from his slow temper, and the want of a true friend to back me, I exspect litle this bout. And tho I can do litle, I resolve to go home and look after the young gentlemen's concerns, which I wish with all my heart were in this session. There is a great work in hand by Mr. Rymer, the Queens Historiographer, viz., the whole treaties and transactions between England and other states, in 14 vol. fol. The Quen disposes of all the copies, and none to be sold. I desyred Sir David Nairne (who hes begged for others who as litle deserve them, either at his hands or on account of the subject) to gett one for your lordship, but he seemed verie shy. If your Lordship write to Northesk, Mar, and Wems, one of them will certainlie get them for you. It must certainlie be an excellent and curious work.

I proposed to 37 what 34 wrote to 35. He promised to sound his friends about it; but, as I wrote formerlie, 34 would do it more effectuellie and advantagiouslie for himself and others, if he were in [2].

314. [GEORGE FIRST EARL OF CROMARTIE to JOHN EARL OF MAR.]¹[4th January 170^s₉.]

MY LORD,—If I thought old Tarbat or new Cromerty were worth your nottice, or his litle concerns capable to be favoured, I would adventur to mind the Earle of Marr of them. But I suspect old springs gives no price.

Indorsed by the Earl of Mar: “E[arl] of Cromertie, January 4th, 170^s₉.”

315. [SIR JAMES MACKENZIE, LORD ROYSTON, to his father, GEORGE FIRST EARL OF CROMARTIE.]

London, 11 January 170^s₉.

MY LORD,—There is still much talk of changes, but so incertaine, that what is said to day is contradicted the next, even amongst those who pretend to be best informed. And I reallie believe [9] is as much at a loss as others, for since h v r is so denied as not to act by v r g z own will, but by that of others, especially [12], who is the most i x b d g d k h man alive, whatever shape 26 takes, he, cameleon-like, changes his colour. Hence it is that one day its said 4 is to have a considerable post at court, and consequently 22 to be againe in the sadle, and that [10] does not go to x g a n c q z but h v g v k h o r g m, because 12 finds no thing will please 21 but to part with all his s g x r c q h, and then they can easilie get rid of himself. But I cannot be brought to believe this, for I do not see how 12 can turn back: *turpe est devorare bovem*, etc. As to that part of politicks that concerns

¹ Original Letter in Mar Charter-chest.

46, we are assured that it was once concluded to make 14/hrpgringm; but if 21 prevaile, 40 will be the man. But, rather then the last should get it, the matter will stand for some time.

The Lords have comitted the controverted elections. 41 is to be with 12 this night about what 34 recomended to him and 35. I cannot comprehend why the barons scruple to state your claime, especially since Queensberrie got payment of his, which was allocat in the same manner. I am doing what I can to make friends and agents in my grand affaire with Bute, in caise it come up hither. But I flatter my self I shall be so happie as to have your Lordship here nextt winter, for your litle godsons sake, and that, with what you have to do of your own, is, I think, of as great consequence to your familie as any thing that hes hapned to it of a great while. And, if I prevaile, I will willingly bear 34/ charges, which I will think well bestowed. I desyred your Lordship to send up a letter of attornie to Sir David Nairne, or any other person, to receive 600*l.*, being a years sallarie as justice generall. There seems no more talk of any change in 30 to 34/ dissadvantage. Our great storm is now broke, which will make bad travelling. I pity my Lord Haddo, who took post yesterday. He will bring your Lordship all the news. My Lord hes gained much reputation, but truelie no more then he deserves; and, if I am not mistaken, he is verie much your friend, and more then others who are more obliged to be so, both in gratitude and blood. Nothing keeps me here but till I get up my money out of the treasury. Sir Alexander Bran, who is certainly bnq, is angry that your Lordship does not pay his house rent, which he did not exspect after so many good offices received from him. And, tho I put him in mind that it was arrested, he said that was nothing, for the barons of exchequer had payed him notwithstanding, and wonders he had no answer of two letters he wrote to you.

316. [THE SAME to THE SAME.]

London, 25 January 1709.

MY LORD,—I was verie much surprized with a letter I had from Mr. Stewart, wherein he tells me that he had a message from the barons, by Mr. Tarver, telling him that they thought that neither Sir Thomas Moncreiff nor I had no right to the register of signatures, but that it ought to be kept in the remembrancers office. I thought I had a good title to have the losses of my perquisites made up; but instead thereof to take away the small remaines of my place is hard, especially since it is done without the least shadow of justice, the register of signatures never having been a part nor branch of the exchequer, to which only they can aclaime a right and power; for by the same pretence they may ingross the signet, etc., through which these signatures pass. And, tho it were a branch or record of exchequer (as it is not), my right to it is as good as our law, nay, the treaty of Union, can make it, having right to it by a patent under the seal, ratified in parliament. It is hard that your Lordship and your familie should be the first sufferers by the Union, tho many (unjustlie enough) will say well war'd. Now, I intreat your Lordship would argue the case fairlie with Mr. Baron Smith, and the other barons, upon the injustice I should sustaine; and I hope they will desist from so hard a prosecutione,—at least not forfault me summarly till heard. I have spoke to all our great folks here. The chief argument I made use of was the ill consequence of it; that, while the Queen and parliament are endeavouring to make the union agreeable to both nations, the barons in Scotland shall do so gross an act to a familie that had so great a hand in making it. I shall try if they will write to the barons about it, and speak to the treasurer; but the litle experience I have of the world convinces me sufficientlie how litle is to be relyed on justice. If all faile, I

must raise a declarator before the session, the x a a / best we have, tho its a litle hard that I must work out whats justly mine by dint of law.

I have sent inclosed the heads on which the council are to be heard to morrow on our controverted peers case. Who hes the justice on their side I know not, nor does it import much, for party will carrie it; witness Sir Sy——n Har——t's case, who, tho' he had certainly the majoritie, was turned out because he was a T——y. I am impatient to be at home, but this extraordinary stormy weather makes travelling impracticable.

The advocat, by his behaviour in printing the late tryall with his animadversions, hes done what in him lyes to ruin the justice-court; but thats not the first good turn he hes done. Humane things are uncertain. Is it fitt or practicable to nt g r r with 25?

317. OBLIGATION by GEORGE FIRST EARL OF CROMARTIE to GEORGE STRACHAN, Stationer, London, for £20, with Discharge by the latter annexed.

Wheras I have imployd Mr. Georg Strachan, stationer in London, to print about sixteen sheets for me, at twenty five shillings per sheet, and that I have left the said sheets, at three hunder coppies, with the said Mr. Georg, to be sold, I oblige my self to pay in to him at London, or to his order, the price therof, at twenty pound sterling in all, and that once in Agust next, he accounting to me for what he shall sell of the said papers, at eighteen pence in quares for each book. Witnes these, at Westminster, 1 May 1705.

CRO[MERTIE].

Edinburgh, May 6th 1709.—Then received payment of the within twenty pounds sterling, and discharges the same.

GEO. STRACHAN.

318. [GEORGE FIRST EARL OF CROMARTIE to WILLIAM FIRST LORD COWPER,
Lord Chancellor of Great Britain.] Holograph Draft.

Letter to the Lord Chancellor of Brittain. 19 May 1709.

MY LORD,—I had the honor of your lordships letter, date May 10th, and gives yow my humble thanks, for that is a duty to be payed by the governed to the governours ; and in this part of Brittain there is much justice and favour in not beleiving the informations given by one partic against the other, whither the parties be of greater or lesser consideration. And severall accounts wee have of our contradictory accusationes shews as if it were a trade taken up with more industry since our vnion then before, contrare farr to my litle expectation, for I hop't that the vnion should have diminisht if not extinguisht it ; and, tho I still hope, yet I feare that the suporting or favouring of our greater or lesser factions may prove a great cause of mischeefs. Our old proverb say[s] that the mother of mischeef is no more then a midge wing. My Lord, pardon this (perhaps) too great familiarity, for it is prompted by a sincer zeal to a full vnion : nether my old age nor the litle changes in the face of that mistris have yet chang'd my affection. My Lord, in the matters relating to Rosshire yow have prevented my wish ; it cannot be unfitt (whatever be informed on or by whom) to hear the other partie. Your lordship desyres ane impartiall account : I faithfully resolve it ; but that disease is so epidemick, and I think contagious, that I fear it in my self. But I shall be sure to tell matter of fact truly, and my opinion ingenuously. In one thing wee are safe, that the import of few or many justices for the peace in Ross can be of no great weight. My lord, I have put my poor opinion as to that shyre in the paper heerwith transmit'd, and, as the best testimony I can give of my owne veracity, I have sign'd it. If it be too long, your Lordships

comand for it will excuse it, and that (I hope) it will hinder no further busines heerafter, will excuse,

my Lord.

319. SIDNEY GODOLPHIN, EARL OF GODOLPHIN, Lord High Treasurer of England, to [GEORGE FIRST EARL OF CROMARTIE].

June 14th, 1709.

MY LORD,—Tho' I have been long without acknowledging the favour of your Lordship's 2 last letters, I have, however, taken an opportunity to reade them to the Queen, who, I believe, is very well convinced of the truth of all that is contained in them, especially of those particulars relating to the manner of the Union's being accomplished in Scotland; and I can assure your lordship she remembers you with the same kindness as when you were nearer to her person; and, if the pceace were so near as wee thought it a month since, I believe she would yett encoradge you to take the trouble of a London journey, to have your assistance in such measures as will then bee proper for settling the future commerce of that part of the kingdome. But during the warr those things may bec thought of, but nothing will bee done to any purpose till a peace comes, which I hope may yett bee before winter. I am always, with great truth and respect, my Lord,

Your Lordship's most obedient servant,

GODOLPHIN.

320. [DAVID THIRD EARL OF WEMYSS] to THE SAME.

London, June 2, 1709.

MY DEAR LORD,—I would have write to yce before now, but my wife has been very ill and continues so. She's with child about three months, and I doubt extreamly that she can keep it a few days. How soon this incon-

venience is over one way or another, I goe to Thistleworth to stay most of the summer. My dear lord, I thank yee heartylie for your good advice in returning to Scotland, and I dare say you give it with great affection to me and my family. But severall things concurred to make it impossible for me to doe [so] this summer, since my stay here was absolutly necessar; as likewayes impossible for me to carry my wife there: and I must beg leave so far to differ from your oppinion as to be really persuad'd I live with full less expence here then I could doe there. I have bought a house here in Soho Square, one of the greatest pennyworths ever I see. I have reduced my family to as narrow a compass as is possible, and I'm sure noe body lives more private. My cook hes noe occasion to show his skill, and my equipage cannot be plainer then it is. I keep noe table, nor noe company eats with me but very rarely, when I desire it, and these only the admiralls and gentlemen that are concern'd in the sea and admiralty office, and with this design only—not to loose my friendship and interest with them, so as I may still be as serviceable as I can to serve my country or countrymen. Now dear Cromartie, I believe when you are inform'd of this, you'l be somewhat more of my mind. As for the rattle and pleasures of London, noebody is or can be less affected with these then I am, and my wife hes as little taste of them as one could wish. Playes and operas and park are places either of us are very seldom seen in, and, bating vissits, which we have noe fondness for, but must just keep up mannerly with the world, we live as retir'd as if we were in the Highlands of Scotland. But the main thing of all is how could I pretend to retire from the parliament so long as I am in the Queen's service, and favour to[o], I hope. That would indeed be ane effectuall way to loose both; and then I doubt my estate would suffer more by my being throuen upon it, then all the advantage my overseeing of it could amount to. I shall only say one thing as to that, that noe Earle of Weems ever was, that spent so

little out of his own estate by a half and more then I've done these four year past, which I reckon very good service done the family. And should I now retire, when, suppose I'm not very young, yet but in a manner entering into the world, I know, and you know, both that one is pritty much forgott, and often more neglect'd. This is not [to] say I've turned my back upon Scotland, for I doe resolve to be as much and as often there as I can. Now I know you'l expect some news, notwithstanding this long letter. There is a present stand to the peace, for the French king will not sign these articles Mr. Torey agreed to. He now demand[s] the article relating to the Spanish monarchy to runn thus : that he shall withdraw his troops to ane indefinte time, since the distance straittens him to name it, and that he shall not, directly nor indirectly, assist his grandson. He complains likewayes of the hardship upon [him] in giving up all the Upper Alsace to the empire. The time of his signing expires on Saturday, so a little time will clear us. I don't believe, nor doe I find our ministry knows one jott more then this. The town sayes this is but a show of bargaining, and that he must sign, since we are not to part with one jott of our demands. Other people say his geting in the corn fleet and the clergy's offer of there plate ammasses him once more to try his fortune a few months.

Dear Cromertie, God bliss yee !

I remember of a bloud ston my mother had ; if your Lordship hes it in your custody I would beg it, for it would be of great use now in my little family.

321. [THE SAME to THE SAME.]

London, July 31st, 1709.

I SHUNN'D writing a melancholly letter to my dear lord Cromerty all this while, because I knew you are too sencibly toucht with what concerns me and

mine ; so I would not give yee any disquiet upon ane uncertainty. I thank God my wife is now in a much more probable way of recovery, but, upon my word, she runn a great risque indeed. Dear Cromartie, there was noe triek in it, nor any accident I could aseribe it to. She still continnes, tho' in such state of health that she visits none, nor is very willing to runn the fatigue of receiving any. We have been here in town all this summer, but how soon I can carry her out of town we intend to goe to Thistleworth for a few weeks. I have been so good a nurse, and attended so closely, that I've been but one night at Windzour ever since the Queen went there, and had not gone then if I had not want'd to speak to the Queen ; and I was not so much as seen there by any body else.

I'm sorry to find by none of your letters soe much as the least mention of any thoughts you have of being in London. I shall not hear again trouble yee with my oppinion att large of the necessity, I take it, for your interests. I have often pled hard with yee, and, upon my word, I continue to doe so still. The Queen, I daresay, hes great esteem and kindness for yee, which, by your own presenee, may turn to your service, and certainlie to doe yee justice. People's demands are much easier shifted when they are not eye witnesses to what passes in there concerns, and your presenee might turn luekwarm kindnesses to reall services, and enemies that are so for nothing not to venture to resist what they may only now doe by delays. But beleive me, that I cannot bring myself to beleive all these to be your enemies, who you may very well imagine to be so by there not doing what is in there power to serve yee. Many people are passively one's friends ; that is, in my oppinion, barely not to wish one ill, which I'm apt to beleive is the case ; for, to my knowlege, lazyness, or the fear of being troublesom to the higher powers, is the great roek whereon almost all business spletts : and to my knowlege likeways, there are few or noe friends that can shake off these two

evill fears. I'm sure I may say so to my own experience, even of these very people you think uses you after the same manner. But, my dear lord, I doe beg you'l think of this, and let me know your resolutions upon it.

All that's here goe in the usuall rutine of the summer. How soon I'm entirely settled in what I have both hopes and assurances shall be, I shall acquaint yee.

The story is how we shall have the citadell of Tournay. We are [to] force the French lines, so that by there retireing into there old camp of Leus we shall then demolish there lines betwen Valenciens and Doway, and after that attacque these two places, which we don't question will be ours; and by that time the season will be over: so if there happens noe treaty, we shall keep the field all winter, as Prince Eugen proposed last year. But Mr. de Torey and the President de Roulieu's being hanging still about Vallancien all this summer, and sending severall times letters to the Duke [of] Marlborough, makes us imagine we shall have a treaty renew'd early; and some people attributes our not marching already from Tournay proceeds from that.

I understand there are clerks in the severall countys appointed for taking up the rolls of the crimes in the respective shires. My chamberlain at the Weenis, who is my relation and a sencible man bred to the law, having serv'd long in Gibson of Duries chambers, I beleive may answer your lordship's purposes very well in such a station. He is very diligent and capable; so if you'l order the clerk of the justiciary to name him, I may say I've recom-mend'd one to yee of sufficiency.

I wonder I never hear from the Dutchess of Monmouth. I wish her very well and shall ever doe so.

I'm sure you'r weary now reading my long letter.

322. GEORGE FRASER, Regent, King's College, Aberdeen, to THE SAME.

King's College, 29 August 1709.

MY LORD,—It is my great comfort to heare of your Lordship's good health. I am obliged to give your Lordship the trouble of this line in favoures of ane honest episcopal minister, whom seing malicious persones cannot reach in point of loyaltie, they do fish out and invent other crimes, without any ground but malice, to staine his reputation. The man is Mr. George White, minister of Mary Cowter. He was once Regent in the Marischal, and since, for 47 yeares, in the ministrie, living loyally in all goverments, and without reproach among his brethren and all his neighbours. I remember when I entered Regent in this [college], in the [16]82 yeare of God, one of his parishoners, the laird of Kincowsie, thorow some mistakes fell amongst them,—too tedious to be here narrated,—pursued Mr. White on the head of simony; but with disgrace Kincowsie lett fall his processe. But ane opportunitie now offering of the Porteous Roll, whether the old jarres awakening or new ones gott up, the Porteous Roll is found fitt enough to raise a scandal upon a poore episcopal old man, especially when the informers, be who they will, groundlesly perswade themselves some may be on the bench who will favour the pursuite meerly for the scandal sake: and the false informer goes free without probation, sufficiently satisfyed that the scandal is raised, and the honest man put to trouble and expence he hade more need to bestow on a numerous family. Now, my Lord, what to demand or intreat in this affaire I know not, seing Mr. White's honesty was sufficiently tryed in Bishops Scowgal and Haliburton's time, and that his innocencie still prompts him to undergoe a new trial, if there were any way for repairing the scandal, his trouble and expence, when found not guiltie. Therefore [I] must referre it to your Lordship's own prudence

to bespeak the Lords that come here to give him all the reparation that can be, if it be insisted upon. Begging pardon for this trouble, I am

Your Lordship's most dutyfull and obliged humble servant,

GEO. FRASER.

To the right honorable the Earle of Cromartie, Justice General of
North Britaine, Edinburgh—These.

323. Remonstrance from the CONGREGATION OF CRAMOND to the PRESBYTERY
OF EDINBURGH, against the removal of their Minister, Mr. WILLIAM
HAMILTON.¹

[1st September 1709.]

RIGHT REVEREND,—Wee being informed, by a paper of ane extraordinary nature, and directed in a more extraordinarie manner, partaking partly of ane edictall citation, partly of ane authoritative intimation, said to be promulgat by the comands of the magistrats of Edinburgh,—but as such we could not well nottice it, for we cannot think that they would forgett either what we are, or what they themselves are. In comon neighbourhood and ordinar civility, persons of equall degrees would intimat their desires or intentions to one another, and far more when the degrees are unequall, as between burgers and a considerable number of nobility and barons, and in ane important concern, both ecclesiastick and civil. On which account we had not notticed it, if it had not caryed in it the account of ane address made by them to your wisdoms; tho' we doubt not that ere you hade proceeded in so weightie a matter, and so much your concern and interest, that, or you had entered into it, you would have acquainted us in suitable manner, and to

¹ Mr. William Hamilton was loosed from his charge of the church and parish of Cramond in order to his being admitted Professor of Divinity in the University of Edinburgh, 21st September 1709.—*Fasti Ecclesie Scoticanæ*, part i. p. 134.

which we would certainly give all due respect. But for preventing inconveniencies, in the verie first beginning, we thought it incumbent for us to represent our thoughts with due good will to all parties concerned. But we think the proposit of the forsaid peaper both extraordinary in itself and injurious to us ; its proposit containing a design of pulling our lawfull minister and pastor from us, for in both these respects wee are mutually tyed by a ligament not only sacred, but of divine institution. And in this sentiment wee humbly presume your wisdoms and we are of one mind : and if so, a necessar consequence is, that no less authority will dissolve it than what instituted it, if that philosophicall assertion be true—that the measures of dissolution should be suitable to the measures of constitution. Right Reverend, we have just right and title to our pastor ; and what is our right cannot justlie be taken from us but either for our crime or with our consent. We hope the first is not incurred by us nor our pastor ; and for our consent, we should not, and therefore will not, give it without good reasons. It is a spirituall concern, and the exercise of charity in this case may fairly begin at home. For giving a stop to our hurt in the verie begining, we crave leave to mention that by ane act of a Generall Assembly the minister of a paroch where a noble man resides (therefore, *a fortiori*, where there is a pluralitie of them), cannot be call'd from it to the ministerial function in any other paroch : and if the height and weight of ministeriall function cannot sustain such a removeall, far less can it be done in favour of a secular employment—and such a profession of Theologie doth appear to be. We are obleidged to think so, because the Kirk of Scotland did sustain what we say, in the case of Mr. John Wilkie, who was a Principle of a colledge, who ordinarily in those tymes, did teach in Theologie, and in the case of Mr. George Buchanan—both these in the tymes of our first reformation ; as also in the case of Doctor Colvil, who taught in Theologie from the year 1642 to the year

1652, in St. Andrewes : not one of these three having been ever in holy orders. This, we presume, will be enough for prevention of further trouble in this matter, since they are steps that we hope will not be readily gone over. And, if need require, we doe not doubt to be heard, for we have much more to say, which, we doubt not, will weigh with your wisdoms' justice and kindness to, Right Reverend,

Your affectionat and most humble servants.

Right Reverend, if further reasons be required, wee are ready to offer them, on a competent tyme.

Indorsed : " Letter to the Presbytery on Mr. Will. Hamilton's Case."

324. GEORGE FIRST DUKE OF GORDON to GEORGE FIRST EARL OF CROMARTIE.

Citadail, 8 September 1709.

MY LORD,—I send this express off purpos to enquer off your Lordships health. Last ueek I expected to haw uaited on yow, as your letter mentioned, iff I uas not mistaken, as Kinerage uas lykuays, uhos help I uas forcedes to tak to read your Lordship's letter, for indead my eayes ar faild. I can nott goe a courcing uith your Lordship for on day or tuo, the dog I had beeing taken up aboutt his mariage att Edenburgh. I believ hee uill cacth rabattes, did uee know uher abundance ar to bee found. You hau quitt forgot your apuntment to goe to Hoptoun-hous. I am quitt in concett to see itt by Sir William Brus, uho I uas to uisit t'other day. He is realy ill, butt nott in sudain danger, as I uas tould : deuly strenthed meen ar nott soen taken auay, tho' lean and languishing. Your Lordship and I haw knowen him a uigurur littel man as culd bee. Hopping to gett nues off your health, uich I uish as an antiant friend and humbel servant to your lordship and famely.

GORDON.

325. [GEORGE FIRST EARL OF CROMARTIE to SIDNEY GODOLPHIN, FIRST EARL OF GODOLPHIN, Lord High Treasurer of England.] Copy.

[6 October 1709.]

THE Lord Ross, on a little purchasse made by him in Rosseshyre, fancied, from the sound of the words (for other pretence in nature or in law he had none), that he should be Earle of Rosse. This was legally impossible, if law can make ane impediment. The first possession he attempted was to require the whole shyre to chuse members of parliament for shyre and borrow at his prescription. I had the misfortune that my little interest would have a lesion by it, and having so many friends in that shyre who notticed that sooner than I could, being at a distance, did prevent that prejudice before I could advise it, tho' I did kindly thank them for it. Yet his revenge hath done them more hurt then I can well compense. His resentments did appear airly in the observators and other lybells; but his threatnings of vengeance from the court and parliament was so loud that the hissing of little lybellers were neither much notticed nor heard. But I was surprized when, by the Lord Advocat, I came to know that his complaint had reached her Majesties knowledge, and attain'd to be so much noticed as to obtain a further inquirie by a commission sent hither. I could not think but he had some thing to say against those whom he accused, whither in those he openly named, or me, the real object of the secret spell. But as all the calumnies were generall and indefinit, neither condescending on persons, crimes, tymes, nor places (the great character of ane infamous lybell), and when, on the 2d and 3d repreizes being put to the application of his generalls, and in order to that, having provided himself with some verie notable affidavits taken by the persuers themselves for avouching of what they had [been] informed

from their own tennents and servants, yet to find them so unfortunat in their contrivance as not to frame on single accusation which, in the full tenor of the affidavits, would amount to a ten pennie fyne, and to see the proposition aim at one person or persons and the conclusion not to touch any one person named in the proposition, but the proposition being against Robert, the conclusion against Ritchard, and (which was yet worse) to find treason and rebellion to be the generall attribut in the proposition; and that the act which is call'd treason in the proposition—the verie same individuall act, when apply'd to the conclusion, to be truely a vertue and meritorious; such a bull as sufficiently demonstrats that there was more heat than prudence in the whole designe. And, on my outmost hazard, what is above said is true in all that was publickly spok or produced before the commission. But, if there be anie secret annectidot said or writte in the dark, I shall not answer them in conjecture, tho' that were verie suitable to the nature of their accusation. My Lord, I did think of never seeing London—a resolution suitable enough to 78; but a less danger than ane accusation of high treason and treacherie [was sufficient] to loose dumb Atus his tongue. My zeal is not so generous: his was for a father; mine was for myself. *Patientia leisa fitt furor.* I hope mine shall not run so high; but its heat will move my old limbs towards London to beg justice on the criminall, even if I be he. My Lord, self defence stands upon the oldest law, and makes the indeavour lawfull. What brings me up being, as to the subject, privat, I shall not intrud with any interruption on the more publick matters which are above my sphere. But I humbly hope that her majestie's royall goodness and her ministers' justice will excuse my earnest desires to go at the theater whereon I have walked so long, if not with applaudity, yet with a pleasing silence, which is the highest station aimed at by, my Lord,

Your Lordship's most humble and obedient servant.

326. [GEORGE MACKENZIE, afterwards of Rosehaugh,] to GEORGE FIRST
EARL OF CROMARTIE.

Edinburgh, 5 November 1709.

MY LORD,—I wrote to your lordship by Tuesday's post, under Mr. Maculoch's cover. The Lords have appointed Wednesday next for hearing my grand cause, so that it will be quickly determined. I beg of your lordship to take up Mr. Cooper, the chancellor's brother, who will be of great use to us, the sooner the better, least we be prevented. Our friend, Rod. African., will do me the favour to inform himself, in caise of an appeal, how it is to be gone about, and let me have directions how to go about it. Neither Bute nor his friend Glasgow are come to toun, but no doubt they will before Wednesday. God grant us a good deliverance. I am at an unspeakable loss in wanting your lordship's help, but that can not be helped. My lord Leven took journie [on] Wednesday. I gave him your lordship's letter. He told me he would adjust with your lordship the method of ending that affaire amicable, but he hes said as much severall years ago. I told him the loss you was att in paying annual rent all this while, even for the annual rent of the first summ, for you did alreadie pay 200*l*. I have spoke with our friends here about our Ross affaires, and have sent north an exspress with letters to them, giving them a full account how matters are like to go. At the same time I told them that I would not believe that either of the Kilravacks would be guilty of so ill a thing: but, however, it was fitt not to neglect the information, but to arm ourselves in all events, especially when it run so narrow the last election, that we caried it only by one, and that severall of our voters were liable to objections, nor were we sure of all againe. Therefor, how necessary it was to have as many freeholders as we could, particularly young Scatwall and Bellmaduthy. But all this will not do without Seaforth's concurrence.



We have represented the case fully to him, but this he says in generall, that he looks on it as his own concern, and that he will do every thing that can in reason be asked of him. Yet I am afraid he will proceed with the same prudentiall caution as last year, when your Lordship proposed the same thing to him; and, if so, it will be in vaine to struggle in it, and to put yourself to so much fatigue, charges, and a hundre other inconveniences in fighting for a familie that will not either concurr or thank you. And, if they do not at this juncture bestirr themselves, I am apt to believe your Lordship will medle no more with them, but confine your concern to your own shyre; which I should really be sorrie for, but who can help it?

Captaine Ross is gone north to negotiate that matter with his brother and nephew, but Seaforth says that he saw the young laird the day he came from Chanrie, and, talking of that affaire, he said that as long as one Mackenzie would stand by him he would not quite; and really I am apt to believe him, for to act otherwise would be contrary to honour and the character of a gentleman. , I had a letter from Catboll telling me that he is offered 8 merks and a half, payable at Whitsunday, the victuall to be delivered at Cromertie; therefor desyres orders from your Lordship what to do. I have already acquainted him with what your Lordship writt on that subject: it is fitt he have directions thatt there may be a fund to supply you. However, the price offered is certainly much too litle, for Wintoune hes refused 12*l.* for wheat and barley overhead, and exspects 14 at least. I am confident, if there be no prohibition to export, victuall will be at a great rate; so pray let us have orders about it. I had at lenth an account from my brother of his treatment at Inverness, at which he is not a litle displeased. It would appear that one of the judges acted by partie principles and with eager resentment. It's said that he told one that the advocat was not there to banter the judges. He says he was much obliged to the other judge, your

Lordship's friend. They had the Episcopall ministers before them who preach in the Ross meeting houses ; but, it appearing that they all prayed for the Queen, the advocat deput told the judges he had orders not to trouble them ; *reclamante* O., but the other approved of the advocat's opinione.

I have nothing of moment more to add. My wife and bairns are verie well, and the young chevalier appears with a chearfulness that bodes success. To the Earl of Cromertie.

327. [THE SAME to THE SAME.]

8 November 1709.

MY LORD,—I told your lordship in my last that my cause was to be heard to morrow, so that next week we may see how it will go. In the meantime I intreat your Lordship to take on my lord chancellor's brother, and to advise me how to order an appeal (for we should provyde against the worst). I know the lords do not much regard whether it be protested for here or not.

I got the letters by Mr. Reid, but not the cypher. There is an idle story in toune that I am to be a lord of Session on Prestonhall's demission. Blairhall told publickly that he had it from M. If so, it could not be told on a good design. I acquainted S. of it, but he imputes it rather to a levitie then

plott. B. is afraid \square may be ^{p r e p o s e s s e d} 25 27 15 25 24 28 15 28 28 15 12 against

^{h i m} (18 19 22) and much ^{h a r m} 18 11 27 22 \times may be done by ^{d e l a y i n g} 14 15 21 11 32 19 23 17

till S. 1724 \times 3025, which will not be this ^{t e n} 29 15 23 \times 14 11 32 28. I spoke of this to S., but he seemed not to apprehend any danger ; but I wish M. may be true.

Mr. Greenshields, the minister who is still kept in prison by the magistrates for reading the English servise, gave in a suspension to the Session in

order to his liberation : but it was refused upon this ground—that he had no legall ordination, since he had it from an exauctorat bishop, by which their lordships have determined one of the nicest questions in the subject of ordi-

P o l l o c k

nation. 25 24 21 21 24 13 20 said that a bishop deposed by the civil magistrat had no more right to exerce any part of his function then a captaine of dragoons after his commission is taken from him. I dare say the topicks on which the bench went will please neither one church nor other, for they were altogether Erastian. It's true three of the Judges voted for passing the bill, viz., Prestonhall, Grange, and Blairhall, and tho' Yla did not vote, yet he argued verie strongly for it. I doubt not but application will be made above, and the enemies of our kirk will be apt to call it persecution. Seaforth promises fair, but nothing yet done. Culloden's brother, who is married to Kilravack's daughter, came to town this day. He tells me he told his father-in-law that there was such a report. His answer was that then he must be lookt on as the arrantest rascall alive; so that he assures me that neither of these gentlemen will hearken to any such proposition.

328. [THE SAME] to THE SAME.

10 December 1709.

MY LORD,—It is now late that I write, having been drinking all this afternoon with 21113014152714112115. I told your Lordship our cause was delayed till Tuesday next, when I hope it will be determined. I fear the worst, but am not without hopes. Kilravack is at length come hither. He abhorres the thoughts of altering his former engagements to us, but if others had not stood up for his election, his inclination would have availed little. There is a paper come down, said to be done by your lordship on that affaire; it has nettled R—— not a little, and—which is worse—24 27 22 19 28. 29 24

30 23 15 thinks that it was imprudentlie done to irritate so considerable a person as L^t. G. Ross, since it may create enemies to the chevaliere. I cannot express how much I am obliged to 22 19 23 29 24. He hes expressed himself with as much concern for your grandson as possible, and runs out on the obligations he owes your Lordship. I depend much on his opening in that case. My next will bring good or bad news.

To the Earl of Cromertie, London.

329. [SIR JAMES MACKENZIE, LORD ROYSTON, to his Father, GEORGE FIRST
EARL OF CROMARTIE.]

13 December 1709.

MY LORD,—Your Lordship will be well enough satisfyed when I tell you that your young chevalier is this night Laird of Rosehaugh ; for this afternoon the Lords, by their interlocutor, have found that Sir George's nomination does import a *fidei commiss.* on the defender, as being the eldest son of the eldest daughter, to denude in favours of the pursuer, as being the second son of the second daughter. These are the words of the interloquitur ; whether they will alter their opinione I know not. The vote was shortly put—Denude or Not ; and here follows the Lords' names as they voted :—

| Denude. | Not. |
|---------------|-------------|
| Fontainehall. | Bouhill. |
| Minto. | Cullen. |
| Anstruther. | Pollock. |
| Forglan. | Cessnock. |
| Just. Clerk. | Arnistoun. |
| Anandale. | Lauderdale. |
| Grange. | |

By which your Lordship sees we wonn it only by one, and indeed good sa. We are exceedingly obliged to these seven Lords, and I intreat your Lordship may return them thanks. I do not doubt but they will reclaime, but I have litle reason to fear any alteration from this judicature. By all means compliment Mar on his brother[']s] extraordinary handsome behaviour, who beat the subtile Doctor Cullen out of all his *appices juris*, not only by sollid reasoning, but by many learned authorities, in which he shewed no less reading then sound judgement; and, tho' they gave it out that he was on the other side, I found him an Erskine indeed, which will forever tye me to that familie, which indeed I had abundance of inclinacione to do before, but this last link will chaine me to it. The 25 27 15 26 19 14 15 23 29 shewed his 25 11 27 29 19 11 21 19 29 32 0 openly for 12 30 29 15, which was no surprise: what stepps will next be made I know not. I presume they will give in a bill, and if the Lords still adhere, no doubt they will appeal. I must govern myself according to theire motion. It will be fitt to have the clerk of parliament to inform us what they do, that we may provyde against it.

Now as to Killravack, he goes post to-morrow. I have sent a few of our informations with him, which your Lordship will be well enough pleased with, and tho' they are better worded, yet most of the arguments were in the former, a copie of which your Lordship had with you. We have sent an exspress north for the documents needfull in the dispute about the election. I wish they may come in time, and that we may get an occasion to send them up.

Many think the memoriall given in to the house may create 30 28 0 15 23 15 22 19 15 28 among the 30 18 19 17 28—particularly 30 18 11 27 29 24 30 23, which I hope your Lordship will endeavour to take off, and do any thing rather then spoile our maine affaire, I mean the appeal. I wish 32 21 11 would manage that matter, or any other of our friends; for Sir D. Dal-

rymple really was afraide it might irritate some great men, which I dare [say] your Lordship did not design.

We are all in good health. 12 30 29 15 and his 12 27 24 29 18 15 27 gave it out that your Lordship was blind and had the palsie : I dare say they wished it.

I have sent one of the additionall informations, the principall being too long to send by the post. This will serve to give our lawyers a view of the arguments and case.

330. [SIR JAMES MACKENZIE, LORD ROYSTON, to his Father, GEORGE EARL OF CROMARTIE.]

[December 1709.]

MY LORD,—I acquainted your lordship, by last post, that young George is declared laird of Rosehaugh, but whether the lords will adhere to it I know not; for no doubt there will be reclaiming bills, and we carried it only by one vote. My Lord Forglan fought manfully for me, which I perswade myself is not a litle oweing to my Lord Seafeld's help, which I shall be glad his Lordship know. I shall say with confidence that, take any fifteen men in the nation, it would not have run so narrow as it did. I sent a few of my informations and the abrigement of the acts of parliament with Kilra[v]ack, who will be in London before this. I do not doubt but my adversaries will use all means to get our interloquitur overturned; and they have some friends on the bench that will do theire outmost to catch a proper opportunitie. I entreat your Lordship would write to Minto, Forglan, Anandale, and indeed to all the seven. The first expressed an extraordinarie kindness to your Lordship, which he said was no small motive to incline him to my side; and

truelie we cannot be gratefull enough. I am doing all I can for his nephew in our parish of Cramond, but I find he will meet with opposition, especially from Sir John Inglis, because my Lord Minto opposes his mother; but, tho' I wish my lady verie well—as she deserves at our hands, yet our preingagement to the other, and that they have no particular person to recommend in whom they are much concerned, I hope they will not take it amiss that we befriend the other. Minto desyres your Lordship to send doune a letter of proxie to that particular effect, let the person be blank; and it shall be filled up at Minto's sight,—the sooner the better, for the time of the call draws near.

331. [GEORGE FIRST EARL OF CROMARTIE to SIDNEY GODOLPHIN, EARL OF GODOLPHIN, Lord High Treasurer of England.]

[1709.]

MY LORD,—We did give your lordship formerly the trouble of a memoriall relative to the process of treason persued by her Majestie's advocat against James Stirlin of Keer and other four. We had at that tyme heard of ane information sent up to court, to whom or of its contents we had verie dark accounts. But now that process, as extracted from the records of the justice court, being printed, and sent up without acquainting us thereof, untill it was in the post's hands on Saturday last, wee having occasion to meet together on this Munday, the ordinar meeting day of that court, at which tyme we understanding that this process is sent to her Majestie, we presume that the process is faithfullly extracted from the records; and, if it come to be considered by her Majestie, or by any whom her Majestie shall please to appoint so to doe, we humbly intreat your lordship may be pleased

to lay our forementioned memoriall also before her Majestic, or them, for more full explication of what may occur in that matter, and that mistakes of persons or things may be prevented. My lord, we should not have added any new trouble to her Majestie, or your lordship on this subject, if we had not found ane appendix printed together with the extract of the process; and, that being gathered from privat memory and without book, we shall not touch what concerns the Lord Advocat's privat thoughts and management of that process in its preliminaries, which did not come otherwayes to our knowledge but in this appendix; for we doe not doubt of his acting zealouslie and prudently in her Majestie's service and the nation's concerns. But, when he coms to give ane account, in the 28th page of the appendix at its close, how that on the 22d day of November the commissioners of justiciary did give out their interloquitur, finding the riseing and continueing in arms without her Majestie's authority, and actual correspondence with the enemies invaders relevant to inferr the crime and pain of treason, the appendix adds that the advocat has lybelled riseing and continuing in arms without authority, and added the correspondence with the French invaders as an aggravation. It would have been ane extraordinary interloquitur, if it had repeat[ed] all the alternitives put in lybells; but, as constant use is, the judges did draw the scattered branches of the lybell, souming them up and puting them in a plain and distinct view for the cognizance of the jurie; and as near the words used by the advocat in his conclusive summarie, in the 5th page of his lybell, in the 6t and 7t lines thereof, and in the clear sense of the lawes cited by him and relating thereto. And this is more fully explained in our forementioned memoriall. Nor needed the judges mention the lesser alternatives in the conclusion of the libel, since all that was relevantly libelled could inferr no less than the pain of treason. And, tho' the appendix ommitts to inform, it is not unfitt to be known that all the judges were unanimous

in this interloquitur. And, as the lord advocat hath the wording of the lybel, it would be a greivance of the first magnitud to give the persuer the wording of the sentence. The four witnesses adduced by the advocat being fully examined on all his interrogators, in open court and in presence of the jurie, he (as is said about the middle of the 29th page of the appendix), to supplie and compleat the probation, adduced one Mr. William Grahame, against whom the advocats for the pannels, *i.e.*, the prisoners at the bar, objected 1mo, that he was *socius criminis*; 2do, that the advocat affirmed him to be such in his indictment; 3tio, that therefore they could not be witnesses untill they were first pardoned and indemnified, least they might be terrified with the fear of death at the persuer's instance. But the advocat declaring that, albeit he had mentioned these witnesses in the indictment given to the prisoners, yet he having thereafter come in and given bail, he had passed from the process against them. Whereupon, albeit it was a frequent custom to reject witnesses untill they were pardoned, yet the judges in the present circumstantiat case did repell the defenders' objections, and sustained the witnesses. But, 4to, the advocats for the defenders objecting that this witness was not contained in the list of witnesses given out with the indictment by the advocat, which the act of parliament, anno 1672, did expressly require, and which was one of the most essentiall things provided by our law for the securitie of our subjects' lives and fortunes, the advocat's ansure to this was, that, tho' he was not in the first list of the witnesses given in with the first indictment, yet that he had given a second indictment (which, he said, was the same with the first), and on more than fourty-eight houres [notice] before appearance. To which the defenders ansured that the debate had run on the first indictment only, and that there was no other indictment produced in process. The judges [called] for what was produced, which was only but the first indictment; and, the list of witnesses given in

with that indictment not containing William Graham, the now adduced witness, five of the judges refused to admitt him, and one was for admitting of him. Whereupon the advocat closed the probation, and the case was remmitted to the jurie, according to law and custom. The appendix, page 32, tells that the judges might receive him, because the matter was wholly intire, and no interloquitur pronounced; whereas the interloquitur was passed and pronounced in court before anie of the witnesses were adduced. It adds, further, that the advocat might pass from his indictment if he had pleased, and begun a new one, which indeed was truth; but, there being but one indictment in the field, and the list of witnesses given in with that indictment not containing this witness his name, and the advocat having not passed from this indictment before the jurie was constitut and sworn, and witnesses examined, the judges could not, without open breach of law and overturning the legall customs which secure the leidges both as to lives and ffortuncs, stop the remitting of the case to a jurie who were then become judges in the cause. My Lord, the advocat could not be so far surprized with a demurr of this kind, so expressly founded on law, as the judges were to hear what the Lord Advocat expressed on this occasion, and a part whereof is also repeated in the appendix, page 32, at the close, not needfull to be here repeated; for mistakes may be incident to the best and ablest of men, and therefore we will not press this matter further. But with all submission we judge it necessarie that this humble information should be likewise printed, whereby it may appear that both her Majestie's commands and proceedings in this matter were most just and reasonable, so her Majestie's judges have, in consonance to her royall will and practice, proceeded in her service with exact observance of her Majestie's lawes.

332. [GEORGE FIRST EARL OF CROMARTIE to JOHN CHURCHILL, FIRST DUKE OF MARLBOROUGH.] Copy.

18 February 17 $\frac{10}{9}$.

To forgett my indiscretion in pressing perhaps too much for a captain's place to Lt. St.,¹ my grandchild, since the ordinar course doth not entitle him to claime it as of right, your Grace's greater favour to myself then in justice I could claime, and beeing of ane old acquaintance, and arrogating to be amongst your firmest (tho weak) freends, did incouradge me ; yett I had not advanced so farr had I not seen severall children of parents who had no known recommendation in themselves, and the sonnes haveing never served ontill they were captains and some collonels, this did raise my vanity for asking a captain's place to one who hath served with applause enough amongst his equals, now in a season of so many vacancies ; and this moves me once more to renew my suit. If granted, it will be considerable favour ; but if not, since my interest in him cannot conduce to his advance, I restrict my intreaty to his not beeing the worse treated, nor infected with the misfortune of his grandfather, and that your Grace may in goodnes rank me, tho in the lowest rank, amongst

Your highnes' most obedient and humble servants.

333. CHARLES LORD YESTER, afterwards THIRD MARQUIS OF TWEEDDALE.
[Address wanting.]

London, February 17, 1710.

MY LORD,—I desired my brother to make my excuse last week for not writing. The Duke of Roxburgh saying he would write on Thursday last,

¹ Lieutenant Steuart was John Steuart, afterwards Sir John Steuart of Grandtully, the husband of Lady Jane Douglas.

hindered me. I had all last week a pain in my foot, which I am affraid will turn at long run to the gout. It is now gone without taking any thing for it. My son Johny hath been indisposed this fortnight by gone. His indisposition is now turned to an ague, and we expect this day his third fitt, after which he is to get the barek to take it off. Susan hath got a little of the cold. Jamie is as yet very well. I hope in God the others shall be so in a little time. We have had very bad weather all this month here, to wit, cold, rainy, easterly winds; and the small pox, fevers, and agues are very frequent here. My wife is, I thank God, very well, but uneasy about her children. As for news, what I can write will be a little old. The pasports are gone from the Hague for the French plenepotentiarys, and they and ours will meet together on Tuesday next. The success of the negotiation will depend upon the forwardness we are in for an early campagne, for, till all be adjusted, there will be no cessation of armes granted. This adress, which I shall send down, if it comes out in print, this night, makes a great noise here, and occassioned very warm speeches in the House of Commons, but not much in the House of Peers. It is not reckoned to be well worded, and the main design of it is to take off abroad any impressions the late broulerys at court might make to the D[uke] of M[arlborough's] disadvantage, by showing how well he is in the esteem of both houses of parliament. I am informed 33 managed this affair, and is now entirly in with 42 and 47, but wither this union will be of any service to 28 I cannot say. What happend in the House of Peers in relation to Greensheills, is entierly owing to my Lord Rocheter, who proposed the delay, and hath disoblighd the Torys by it, who would certainly have carried the point in favour of Greensheills if that delay had not been proposed. There were 49 for sending for the papers, and 38 against, wherof 14 Scots and 6 bishops to 5: Argile would not. I believe a toleration will be proposed, but burthened with the taking of the oaths and praying for Princess Sophia, which

I fancy will not take with our Episcopall clergy. My brother talks of going down this week. Now that the D[uke] of M[arlborough] goes over, I am affraid he shall get nothing done at present, but I believe he is pretty well convinced that there is no doing of bussiness here but by being present, and meritt goes but a little way. I add no more at present but my wife's humble duty to your Lordship, and I am, my Lord,

Your Lordship's most obedient son,

YESTER.

334. WILLIAM FIFTH EARL OF SEAFORTH to [GEORGE FIRST EARL OF CROMARTIE].

Wotton, the 10 of June 1710.

MY LORD,—The case of the three Catholik gentlemen that were banished out of Scotland in March last, oblidges me to give your lordship this trouble, that you woud be pleased to interceed for them, and get my Lord Mar and what others your lordship cane, to befriend them. There circumstances, I suppose, is so well known to you, my lord, that I need not trouble you anny farther, but earnestly begg your lordship and my lord Mar wou'd doe them all the kindness you cane, which I shall always owne as a particular favour done myself. Begging pardon for the trouble, and wishing your lordship a good journey, I am, my Lord,

Your Lordship's affectionat nephew and humble servant,

SEAFORT.

335. GEORGE FIRST EARL OF CROMARTIE to [THE HONOURABLE JAMES
ERSKINE, Lord Justice-Clerk].¹

19 August 1710.

MY LORD,—Tho I have not a return to give to your lordship and the court,

¹ Original Letter in Mar Charter-chest.

yett I assure yow that I did omit, no not on hour, to doe what did ly in me to act in your service what I could ; but the present state of effairs, the heap of busines which lyes evry day on herr Majestic's tyme, the suddain change in the treasury, and the new comission not haveing (as yett) a view of what is to be directed, hath made a suddain dispatch unpracticable. I doe press most the money, for the money matter I found by the Queen's direction to whom I shold speak, and did give in your lordships letter, which was very plain and full ; and, for invitation to read, I did likewise give in a short memoriall both as to the money to the treasury, and of the proclamation to herr Majesty and counsell ; but the answer (I presume) will be given me next week, and weell if so. But the money, I hope, will be ordered *sicut ante*. But, if the proclamation weighd yet less then it doth, it most abide the course of the roll ; so it will be unpracticable to have that proclamation for this circuit. My lord, your brother did writ as to your station : wee cannot yet be positive for what's fitt, but I hope wee will or Twesday ; so my humble opinion is that yow should adjust ane exchange with any one of the Air district, but so as not to determin till your lordship hear. I wish yow made less noise in futur elections, but were more unanimous in what yow resolve. I presume your lordships will know what rols or accusations are to come befor yow or yee goe from Edinburgh, nay, or yow issue warrands for proccess or juries, albeit yow were not tyed to give lists of juries and witneses or yee sign warrands to cite. I have been out of town till it was late, els yow had better writ, if not ane better subject. My lords, I am very sorry that I cannot serve yow better, but none hath nor shall doe it with more affection then, right honorable court,

Your humble and obedient servant,

CROMERTIE.

336. HENRY COMPTON, Bishop of London, to [GEORGE FIRST EARL OF CROMARTIE].

August 8, [*circa* 1710].

MY GOOD LORD,—Had my ill state of health not been my excuse, I should never have forgiven myself not waiting upon you before I left the town; which I regret the more, because your gentleman tells me you go for North Brittain this week.

Many of our friends with myself have often complained as well as wonderd at the policy of encouraging our enemies and neglecting our friends. I have and shall be very instant in my complaints, if I se no redress. Whilst D[uke] Q[ueensberrie] was alive, I wondred at nothing; but that there should be no friend of your nation to have the courage to tell her Majestie the truth now, is a great wonder to me. Certainly you ought, if you have not done it, to discourse my lord treasurer freely about this. I shall serve Mr. Mackenzy the best I can, as I am with the greatest respect, my Lord,

Your Lordship's most obedient humble servant,

H. LONDON.

337. THE SAME to [THE SAME].

August 27, [*circa* 1710].

MY LORD,—Had I found it to any purpose, you should have had my acknowledgement of your last before this: but, alas! what can I say? All can be said makes no more impression then upon a marble, unless our good friend give way to it, whom I looke upon to be quite of another opinion; so that I take it for granted your estate will be torn to pieces by the expensive chicaner[y] the law, or rather the lawyers, will engage them in. Besides, there is such a sort of principles now set up among us, that, if pursued, will at

last ruine both church and state. My neerest relation is got into it so far that it makes my heart bleed. But it is impossible to give you a clear and full account of these affairs, till I have the happiness by word of mouth to tell you that I am, my Lord,

Your Lordship's most obedient humble servant,

H. LONDON.

338. JOHN STEUART, son of SIR THOMAS STEUART of Balcaskie, to [GEORGE FIRST EARL OF CROMARTIE].

Lisbon, March the 19, 1711^o.

MY LORD,—The continued trak of siknes I hav been haras'd with ever since I came to this contry, has uncapacitat me of paying your lordship my humble duty sooner. I was left heer behind the fleet in a high feavor, wher I am afraid I may be long ear I hav ane oportunity of going after the regiment to Barcelona. About thre weeks ear they saild, I deliverd your lordship's letter to my lord Portmore. He said he had great regard to your lordship's recomendation, and that he was sory our being designed for Spain put it out of his pouer to doe for me. I told my lord that, if I wer not afraid it woud be disagreeable to add to the number of his dependents, I woud prefer the honor of voluntiring under him to the small post I had in the army. But I found my lord did not inclin to that, by his saying, if I was not well with my collonel, he woud speak to him in my favors. I assured him the anctiety I had to serv under him did not a bit proceed from my being ill circomstanced in the regiment. So, my lord, I find I hav nothing to depend on but my rank in the regiment, which lord Mark (as most collonels doe) overlooks sometimes to provid for a favorit domestik. All I have for it is another Almanza, if your lordship does not find ane oportunity

nearer home of getting me what, in expecting, has ocasioned my being both so troublesom and expensiv to your lordship.—I am, my Lord,

Your Lórdship's most dutiful grandchild and devoted humble servant,

JOHN STEUART.

339. KENNETH THIRD LORD DUFFUS to GEORGE FIRST EARL OF CROMARTIE.

Teusday morning. [*Circa 1710.*]

MY DEAR LORD,—Nothing but the assurance of a tar cou'd be guilty of this impudenece, and even that cou'd not perswad me, till necessity obliges me, to beg your lordship's assistance by the loan of 5 guiny's more, and in a very litle time I hope to repay it thankfully. I wou'd not [have] troubled my dear lord, but that I'm not able to use this freedom with any other. And, to be plain, it's to pay my cook, who without it will not supply any further. If you can do it by the bearer, my footman, it will oblige him who even blushes to subscribe myself, tho' with a great dale of sincerity, I am,
Your Lordship's most affectionate and most dutyfull nephew and humble
servant,

DUFFUS.

For the right honorable the Earle of Cromerty.

340. GEORGE LORD HADDO, Son of George first Earl of Aberdeen, to
[THE SAME].

Kelly, 16th January 1711.

MY DEAR LORD,—Till yesterday I did not receive the honor of your lordship's letter of the 26th last past. It seems by some accident it has lyen some time at Edinburgh. I returne your lordship a great many thanks for

the trouble your lordship is pleased to be at in haveing the goodness to remember me so much as to bestow on me a share of your intelligence, which your lordship may believe is very satisfieing to one that lives in so remote a corner of the wordle, besides the particular pleasure that a letter from your lordship affords me in knowing by it that your lordship is in good health. I regraite the subject of news in your last was no better. No doubt this is a bussy time with yow, for I hear the parliament is taken up in great inquiries, which no doubt will produce a great deale of fresh game and variety. My father desires to offer your [lordship] his most kind and humble service. I long much to have the satisfaction to see your lordship in Scotland—tho' I believe it will be long er I shall have that pleasure, for I doe assure your lordship that I am really in truth, with great esteeme and affection, unalterably, my dear Lord,

Your Lordship's most faithfull and most obedient humble servant,

HADD0.

341. SIR JOHN MACLEANE to [THE SAME].

Ile of Mull, February 2d, 1711.

MY LORD,—Hade the affliction I have been in for the losse I have sustained, allowed me to think of anything else, your Lordship hade mett sooner with the trouble I now give yow. My circumstances requireing my application to my friends, and as the long experemented proofs I have hade of your lordship's favour to me convinces me of your generous simpathie, so I would beginne with yow in layeing my present state before yow. Your lordship is entirely known to my former difficulties. I have now, as an addition, seven children, the eldest scarce eight yeares old, left to my single caire, haveing lost the best of wives and the most tender of mothers. I am at the head of

a sinkeing familye, on the brink of ruin onlie because of there inviolable adhereance to the crown. This is my condition, and I think a very proper object of a Souveraigne's compassion. I knowe the Queen's naturall goodnesse, of which I have found effects which shall be ever harboured in my breast with the greatest gratitude. I knowe that royal quality inheerent to her temper of pittyeing those that suffer, so that I shall never doubt of her pittyeing a ffamily whose miseries onlie proceed from there constant fidelitie to her predecessors. I shall therfore begge your lordship would be pleased to laye my case before her Majestie. There is no body better known to the actions and sufferings of the familye of Macleane for the crown than your lordship, nor no body so weell known to my circumstances. I laid formerlie my son at her Majestie's feett, to be disposed of as she thought fitt: I now laye him again. If there be any regiments to be raised in Scotland, it would help him to education that her Majestie would be graciouslie pleased to give him a companye; and, least there should be any objection made of his age, I would pleace my cousin Brollos, who has been several yeares in the service, livtennant under him. This, my lord, would be a very strict tye on the familye—my son and the next heir to him engaged in her Majestie's service. I shall relye on your lordship's wonted goodnesse to me to represent my case to her Majestie, whom your lordship may asseure of a regiment of the family of Macleane still left, after all there suffereings, who will be reddie to adde there blood to that already spilt in the service of the crown, whenever her Majestie's interest requires it. And let me asseure your lordship of ane inviolable gratitude, and that I will ever be, my Lord,

Your Lordship's most faithfull and most humble servant,

MACLEANE.

Mr. Weems, to whom I have addrest this, will transmitt your Lordships orders to me.

342. [SIR JAMES MACKENZIE, LORD ROYSTON, to his Father, GEORGE FIRST
EARL OF CROMARTIE.]

Edinburgh, 15 March 1711.

MY LORD,—I have severall times writt to your lordship concerning the 28112121112732 of the 19302829191315 171523 : and, now that Chief Baron Smith is gone up to London, S. and M. may talk with him about it, and then he and his brother Scroop will be convinced that the former warrant is sufficient, or otherwise a new one must be procured—the sooner the better—for without it no money, and how necessar that is I need not proof. Neither hes B. 112332 2429181527 16302314 to 112328301527 A., all being 153118113028291514.

I wrote to Charles Kinross about one Smith's claime on Sir Ar. C.[s]¹ effects in Mr. Gordon's hands, that I lookt on it as a cheat, and, at best, an ill founded claime ; for, tho' I am ignorant of what vouchers or proof he hes, yet I do not see how a debt, tho' contracted on his account, being during minoritie, can bind him or his heirs. But, however, I think your lordship, as creditor for the funerall charges, should take out letters of administration, and I presume funerall charges are every where privileged and preferable debts. I believe Dr. Cockburn, and one Catherine Browne, then my wife's woman, can give some light into this old patcht up debt. As to Mr. Paterson's claime, I have spoke of it to a great many, but, as it always happens in publick concerns, where many should be concerned, none really is. If Mr. Paterson succeed, this will indeed be a happy project ; but I do not well apprehend how his claime is founded, nor how it comes in before the parliament—at least how

¹ Sir Archibald Cockburn of Langton. His daughter Anne was the wife of Sir George Steuart, second baronet of Grandtully.

it can reach any part of what is already payed out, since that can regularly be only done before the judge ordinary, in the first instance.

It seems some amongst us are afraide that the British Parliament will not soon enough overturn our private laws, and therefor they have begun to petitione for prettie considerable innovations: particularly some Aberdeen gentlemen have sent a memoriall to Sir Alexander Cuming, their representative, complaining of the tediousness of our judicciall procedure, especially in rankings, etc., and therefor desyring him to move that we in North Britaine may have the laudable laws of England concerning bankrupts extended to us. Now, tho' it must be owned there may be too much truth in what they complaine off, yet I do by no means approve of the cure. First, I am confident those gentlemen know verie litle of the law they so fondly desyre to have introduced, and, as I am told, that statute of bankrupt is much complained off by the English themselves: and I am perswaded our own laws in that matter, especially our later acts, are much better. And, as to the form, the judges are now verie bussie in frameing proper acts of sederunt for remedying as much as possible what is amiss. And sure I am, if a remedie can be had at home, as I hope it may, no true Scotsman should apply elsewhere; for, if once that barriere be opened, we will not all be able to shutt it: so, if possible, our countriemen should consult together, and endeavour to hinder this or the like motions to be made. For our good neighbours are but too ready to embrace all opportunities to make our laws the same, on pretence, forsooth, of rendring the union more compleat; and our law, ill as it is, is as good, even in what they complaine [of], as any of our neighbours. The lords of Session had this day a meeting on this subject, and have appointed some of our number to draw a memoriall to be sent to Sir Alexander Cuming about it, and, if possible, to delay moving the affaire this session; and we hope before next session to make such regulations as may satisfy, if possible, those gentlemen, tho', be

the by, these are but a few and no verie extraordinary men. The chief is Sir Samuel Forbes of Foverin, and the most of the gentlemen even in that shyre are against it.

Since writing what is above, I have spoke with Mr. Stewart, the Queen's remembrancer. He tells me he hes got an order from the committee on Mr. Paterson's affaire, to transmitt the proceedings of the Barons in that matter. He tells me that they have actually determined it, and found he had no claime : but by the form of their court there is scarce any record kept of their proceedings in such matters, or at most but a short minute, which hes not been so much as done in this case. So he is at a loss what to do to ansuer the committee's order. He is to write to the Barons now in London about it, and they can satisfie the committee. Your Lordship's suspicion of 272427191528 having a hand in it is too well grounded. Some weeks before he left this place, the Commissioners of the Equivalent called for the books of the Afr[ican] Company from him, which he refused : upon which they applyed to the Advocat and then to the justice court for a warrant to aprehend him, and oblige him to produce them. We found it not competent before us, so they aplied to the Exchequer. He apeared severall times before them, and at last, finding they intended to oblige him to deliver up the books, he fairlie slipt off. Whether the Barons will complaine of this above, I know not.

We have this night sent up the two commissions of chamberlanrie and bailerie of Dalkeith to be signed by the Duchess. The fee is not mentioned, for I thought it better that it should be by a warrant apart ; for, since her Grace resolves to make it something more then ordinary, it is not to be a precedent to others. The sallary I formerly wrote of was 75*l*.—too much, indeed, in one sence, tho' litle enough to him, and I hope he will be worth it. I intend to be at the land's setting this spring, which my circuit falling to be in the south gives me an opportunitie to do.

343. [THE SAME to THE SAME.]

Edinburgh, 20 March 1711.

MY LORD,—Looking amongst Langtoun's papers, I have verie luckily found Smith's account discharged, which I have inclosed. He must be an arrant cheat, for he believed that, Langtoun and his son being dead, no body could discover that it was formerly payed. It will be fitt to send for him and show him his own discharge, which I think will confound him; but it must not be delayed, least he steal out a decree.

The Dutchess of B[uccleuch] seemed inclined to have the bailie of Dalkeith lodged in the house in her Grace's absence. If so, it will be fitt to send directions to the housekeeper where he is to lodg. There is this advantage in having him there, that the house will be the more secure from thieves, and the expence of watchmen will be lessened. We are bussie in adjusting the articles of the roup of the coales of Sheriffhall and Coudoune. We intend to be at Haick about the 20 of next month.

I am sorrie A. 282911231428 2824 22301318 in 23151514 2416 22242332, since B. knows not how to 2830252132 181922; but I exspect 131129122421 every day.

Indorsed: "E. Cromertie."

344. [THE SAME to THE SAME.]

Edinburgh, 26 March 1711.

MY LORD,—I sent enclosed to your Lordship this day seven night, a fitted and discharged account betwixt Langtoun, and Smith the taylor, of all furnishing, etc., preceeding 1702. I hope it came safe, for it is the principall. He must certainly be a rogue, so he must be cautiously dealt withall.

I had the enclosed letter from Mr. Melville, chamberlane of Eskdale, with the inclosed double of Mr. Robinson's letter; but I do not well understand

why he did not send me the principall, as he promised. I have againe wrote to him to send it. I did formerly write my opinione of Mr. Robinson's accounts, that, after they are revised above, they might be transmitted hither, and we should endeavour to make what discovery we can, if fairly and honestly stated. One of the chief things to be done in her Grace's affaires is the state of the tennants, both in relation to the rests, and of the rentall, the first being verie considerable, and many complaints of the later ; but both are verie nice and maturely to be gone about. For my part, tho' I have all the inclination imaginable to serve the Dutchess, I am but litle versant in such matters : the evil grows dayly greater, but yet I hardly think that they can be effectually cured untill her Grace come doune.

I hope you have taken care to get S[']s. 301127112329 27152315301514, for otherwise I know how A. will be 2527243019141514. 30¹⁸ 2224231532.

The famous Treasurer Fisher¹ dyed here yesterday. They tell a prettie odd passage about it. He dyed about six in the morning, at which time Heriot's work bell is always rung. The porter, according to custome, going to ring it, he pulled the rope, but in vaine, for, do his best, the bell would not ring. Upon which (not knowing of Mr. Fisher's illness, for he was sick but one day), the man went to acquaint him of it, when to his surprize he found he was dead. How true this is I know not.

I cannot tell if the Tatlers which I send are worth reading. They say they are writt by a litle clubb of young lads, with the help of Mrs. Mary Cockburn, whom my sister Anne knows.

None of our seed merchants have sweet bay berries, or of any flowring shrubs to sell ; so I wish your Lordship would send doune a few by land cariage, which is best now that the season is far advanced : the purchass will not stand much.

¹ Treasurer of Heriot's Hospital.

345. [THE SAME TO THE SAME.]

Edinburgh, 19 April 1711.

MY LORD,—George is now prettie well againe : the feaver hes left him, but he is verie lean. I intend to get an ass for him, if one can be had, for they are verie scarce. I intend to begin my journie to Hawick this afternoon ; but we have such raines these two days, and yet continues, that the waters will be hardly passable. The Earl of Bute was married last Saturday at Rosneth. Our parish of Cramond hes ill luck to a minister ; for the president's chaplane, who got a call from many of the heretors, upon examination before the presbitrie, hes been found so grossly ignoramus that they found him not qualifeyed for the ministrie. But whether the presidents interest may yet prevaile with the presbitrie to admitt [him], I know not. He had not my vote, and severall considerable heretors were against his call. If this act that now is before the parliament pass, concerning the election of members, if it is true that it requires 400*l.* of valued rent in the electors, it will put an end to our Ross debates. I have againe and againe writt to Catboll to have money readie, and that he should be here the beginning of June. I have sold some of your bear, but the mercats have been so low here that I could hardly get any to bid for it till it came to Leith, where some hes been sold at 4*l.*, 10*s.* I have got 5*l.* to be delivered at Portmahomack, which is the far best price that any north countrie bear hes given since Christmass.

2232 30191613 hes delayed 181527 design of going to 291815 12112918, not that 281815 is 30¹⁸ 1318192114, but 281815 finds 181527 28152116 22301318 121529291527, and the 1219171723152828 in 181527 1215212132 much lessened. 281815 is in 30152732 17242414 181511212918, but somewhat 161129291527 then before.

346. BENJAMIN ROBINSON, Factor to Anne Duchess of Buccleuch and Monmouth, to [GEORGE FIRST EARL OF CROMARTIE].

17th July 1711.

MY LORD,—I have sent your Lordship the registrate submission and decreet arbytrall between her Grace and the Earles of Melvill and Leven, to which I added marginall notes directing to every paragraff. By this decreet your Lordship will see the intrecasye of that affaire, and consequently the great paines that must have been taken to bring that great claime to a head.

There is one reflection cast upon me in that affair, which of all others is the most unworthy, and is made an argument of my supine negligence in her Grace's affairs; and that is, the omission of regestering the Earl of Leven's assignation to her Grace. Now, my Lord, for that and all the rest that have been laid to my charge, insinuating the neglect of my duty, I will clear [to] your Lordship and all the world that I have not only done dilligence, but taken indifatigable paines to preserve and promote her Grace's interest, and, in every objection made against [me], when examined, [this] will be made evident. As to this assignation, there is not the least shaddow of reason for its beeing registered; for, when it was procured, her Grace had a great many depending pleas in the Session against Mr. David Scrimseor's debtors and others, and, least any person for a delator, as severalls did, pretend that her Grace had no title, wee judged it necessary to have that assignation to remove such objections.

It was not by way of further security to her Grace, for that is abundantly flixt by the decreet arbytrall, to the praise, be it spoken, of my lord president, whose regard to her Grace, and justice of the cause, had taken infinit paines to make it perfect.

So these processes being ended, there was, nor is, any need of registrating

this paper, it beeing to no purpose to do it; for the decreet, which is the foundation, being registrat, her Grace's right is made secure.

As to the blame I lye under of delaying my accounts, I hope there shall be litle reason for it when your Lordship considers it. The delay has not been to bring in articles to my discharge, but to fix and compose a regular charge against myselfe of the lordship of Dalkeith, of which I never saw, nor I believe any of her Grace's comissioners, a regular rentall since her Grace's time, before this that I have made. I intended it as good service to her Grace and her successors, and an addition to the records of my industry; but, to my mortification, [I] must sit downe with haveing every thing misunderstood.

As to the balance of my accounts, I beg leave to say it is justly due to me; and, if I had clear'd accounts at that time when Smeiton was bought, her Grace would have owed me double as much. It seemes it is my misfortune that I am not owing her Grace two or three thousand pounds, as others before have done, and which her Grace has frequently lost—witness Bowhill, Mangerton, Ranelburne, not to speak of Sir James Stansfield and Mr. David Scrimseour (for those losses are too great to speak of); but it is not her Grace's interest, nor should I have found it for my credit to have been soe.

My Lord, I humbly desire your Lordship to represent these things to her Grace, and let my accounts be cleared. Make what exceptions or reservations you please: I know my accounts are just, and will stand the test of all honest men. My Lord, I do not deserve to be hardly used. I have done her Grace more service—I beg leave to say it without detracting from any—then all the meniall servants that ever served her; the effect of which will be continued for ages to come. I beg pardon, and hopes your Lordship will forgive

Your Lordship's most obedient and dutyfull servant,

B. ROBINSON.

347. DAVID THIRD EARL OF LEVEN to [THE SAME].

Balgonie, October 23, [1711].

MY DEAR LORD,—I want words to express the sence I have of your frindship. I am informed that my enemies are never idle, and that ther is sume talk as if I wer to lose the castle. I confess I doe not give anie credite to those reports : I rely upon the Queen's protection, which hir Majesty has ever honured me with, and which, whither in employment or out of it, I shall ever study to deserve. If I shall be so unhappy as to be laid asyde at this time, I must blame my unfortunate stars. I have disobleidged the Whigs by my adhearing to the court, and my declaring against ther principles ; and therfor, if my enimies prevaill against me during the present administration, I cannot but esteem my selfe very unfortunat.

My dear Lord, I must beg that you will be so kind as to enquire into these reports. And if your health will allow, I wish you wold wait upon hir Majesty, and say from me, or of me, what you think fit. I dare not presume to trouble hir Majesty with a letter every time that ther are such reports going, and therfor I forbear at present. Forgive this trouble, my dear Lord, to

Your most affectionat cousing and most humble servant,

LEVEN.

348. JAMES FIRST EARL OF SEAFIELD to THE SAME.

Cullen House, Julie 8, 1712.

MY LORD,—I cannot express the sense I have of your Lordships friendship to me att court since I left London, which will oblige me ever to be a servant to you and your familie ; and therfor att present I doe with freedom apply to your Lordship for your assistance. I have already got promises from the Dukes of Hamilton and Argyll, and the Earls of Mar and Ilay, and several others, to be for me at the nixt election in place of the Earl of Mare-

schal; neither would I attempt this, if I thought it disagreeable to the Queen, and if I wer not resolved to serve her Majestie with the greatest fidelitie. I know your Lordship can be of great use to me with manie of the peers, for they have verie justlie a respect for your Lordship's opinion. I resolve verie soon to have the honour to wait of you at Edinburgh. My son Deskfoord rekons himselfe extremlye oblidge to your Lordship for your civilitie to him when he was last at Edinburgh. I hope you doe me the justice to belive that I am, with the greatest esteem, my Lord,

Your Lordship's most humble and most obedient servant,

FINDLATER.

For the right honorable the Earl of Cromertie.

349. [GEORGE FIRST EARL OF CROMARTIE to THE ROYAL COMPANY OF ARCHERS.] Copy.

1712.

RIGHT HONORABLE,—The strength of my desire to waite on you did support my hope to have obtain'd it this day; but my desire is disappointed, not by my fault but my fate. I cannot: necessity is a chain stronger than what power can break. What is committed or omitted from that invincible lett needs no excuse, for it is no fault. Yet this my omission carries in it, and with it, a punishment. For such is whatever detaines a lover from what is lovèd. This misfortune may hide my respect from others; but even necessity cannot lessen, and far less extinguish that in me, unless it extinguish me with it. To be of your Royall Society was an exceeding favour; but the rank I was honoured with in it, is an honour above my merit. I was always sensible of my impotence for performing duties suitable to it; but to retain it whilst I can do nothing, is what I ought not, what I cannot, bear. To be sett where a head should stand, without capacity to perform or

to direct, is to make my defects if not the greater yet the more conspicuous. If your generosity will not cutt me of, yet I think discretion obliges me to slip of, so that for and in place of dissatisfaction, I may have the pleasure to see you have a captain general worthy of so great an honour. That consular paludament is fitter to adorn a tryumph then to decore a buriall. I imagine that the good old King, when the royall robs were too heavy for him, when the royall duties were impracticable, yea even when Abishai's embraces did lose their charming powers, yet he found satisfaction in knowing his qualified successor before he died. My great esteem of this noble station I have evidenc'd in demitting many, whilst I keep'd this. Nor can I disown a reluctancie in my present offer, tho' I think it a duty: but I presume that in a few days I may have strength to carry it myself to your meetting at Edinburgh, and courage and resolution to give it a fareweell. And indeed it is to lay down what I cannot hold up. I need not tell you that tho' absent, yet with a friend or two this day I will remember you; for indeed you cannot be forgott by him who is att once

Your old captain, your faithfull friend, and most humble servant.

Indorsed by the Earl of Cromartie: "Coppie of my Letter
to the Royal Company of Archers in *anno* 1712."

350. GEORGE FIRST EARL OF CROMARTIE to DAVID THIRD EARL OF WEMYSS
[1710—1714].¹

MY LORD,—My proposition for Royston was, that a villa for the chancler or prime minister heer, neer to Edinburgh, wherin he might stay in tyme of vacance at the seat of the government, wher indeed any considerable absence is of evil consequence to Queen and people.—I say such a thing were desyr-

¹ Original Letter in Mar Charter-chest.

able. The rent of it might be as usefull, if not more, then any so much of his salary, so in so farr the Queen nor chancler have no losse. All the expence is in buying the house and litle gardens. I will give for 5000 lb. sterling what he cannot build for 7, nay 8000*l.* And to make the payment easy, lett them take of the Earl of Marr of me for 2000*l.* sterling; and for the other 3000*l.*, I will take my owne few duties of remote bad Ross victuall at 20 years' purchas: and for the rent, I take it at ilk chalder, and gives of Lothian rent 100 merks per chalder, and the Rosse chalder will not give 5 merks, *comunibus annis*; and besides it will take of a part of the chamberlan fee yearly, quhilk safes better then 3 or 4 chalders to the Queen.

This is the proposal, and I would gladly know if it will hold; for if it doe, the commissioner most be instructed to gett my few duties dissolved: for my owne few duties of the lands which I hold of the King *in capite* will goe near to pay all, except the 2000*l.* to the Earl of Marr.

Indorsed by the Earl of Mar: "E. of Cromartie to the E. of Weems auent exchanging Roiston."

351. [THE SAME to JAMES SECOND DUKE OF ORMOND.] Copy.

February 1713.

MAY IT PLEASE YOUR GRACE,—Neither distance in place nor time could hinder fame from notifying to the world the glories of your Grace's actions and counsells in this last campaign, where, in the service of your Sovereign, to the honour and advantage of the Brittish empire, you mantain the royall honour, the interest of Brittain, and the safety of the bravest army, when so circumveen'd in many dangers both by open and vigilant, and by secret and treacherous and (thereby) more dangerous enemies. And by a manadgement in prudent silence, you not only prevented but quell'd the open hos-

tilities of these who acted above board, but smothered up all the dark mines which were contriv'd to blow up your Brittain, whilst they were standing on the very ground where they had defended, nay, too much advanc'd, the honour and interest of ungrate associates. In all which your Grace has shown that, albeit force and fury can, and hath done great things, and that many generals have perform'd actions accounted great and honourable, yet with less treasure and almost no blood, in a calm and silent conduct, and by the evident effects of that conduct, you have drawn our open opposers with sword in hand to submission, bragging opponents to recantation, and secret designers to disappointments and confusion, and now have brought the tragical state of Europe into the safe and pleasant epilogue wherein we see the umpire Queen of Europe standing on the stage of honour, giving peace to all, generous friendship to generous enemies, and if not too much reward to unsatiable assistants, security to the timorous, pity to her own offenders, pardon to the penitent, and disappointment to all dark malice. And in this most pleasant catastrophe, I adventure to kiss your Grace's hands, and amidst all these honours to others, I begg that of continuing in the rank of

Your Grace's most humble and faithfull servants, and very old friend.

P.S.—I have made choice of this bearer, who, tho' in no high station, yet, since a station in honour can never be thought low, I hope and humbly wish he may obtain admittance to tell your Grace what he is, and what his friends pretend he should be: for we know him to be an honest man, and both friends and enemies think him brave. Yet I dare say did he know that I write so, he would not willingly have been the bearer, for admittance within a view of your notice was what he desir'd, and I promis'd, which I hope your Grace will pardon if not allow.

Indorsed: "Coppie letter to Duke of Ormond, Februar 1713."

352. ALEXANDER BRUCE, Advocate, to GEORGE FIRST EARL OF CROMARTIE.

Edinburgh, 12th March 1713.

MY LORD,—I presume to present your Lordship with a copie of a compend of the feudal customes which I have compiled.¹ I know not if these gentlemen who took in subscriptions did trouble your Lordship for one. However, I flatter myself that the small tract will not be altogether unacceptable to your Lordship, when it is considered that the great designe of publishing it was for defending the antiquity, liberty, and independence of Scotland, in a language understood all Europe over, whereby strangers (who are misled by English writers upon the head of the old pretended homage) might be informed and undeceived. And as no man in this island is better qualified to judge in that controversie than your Lordship, so (however weak the performance may be) I hope your Lordship will not condemne the designe, nore will the present be any less acceptable, that the author has the honour to have been nearly related to the Countess of Wemyss. I am, my Lord,

Your Lordship's most obedient humble servant,

AL. BRUCE.

To the right honourable the Earle of Cromartie.

353. ALEXANDER NINTH EARL OF CAITHNESS to [THE SAME].

Murkle, March 26, 1713.

MY LORD,—I am heartilie sorry that my condition of health does not allow me to attend the Parliment, and it greives me the more that your lordship has writen to me, and that I am not able to obey it. If it please God to

¹ Mr. Bruce was author of several works, one of which is entitled "*Principia Juris Feudalis*." 12mo. Edinburgh, 1713.

restore me to any measure of health this spring, I intend to be up at Edinburgh. Your Lordship knowes I am neither papist, nor republican, nor fanaticke, but how much a presbyterian I doe not now determine ; but I suppose your lordship may guess how much I am of that. I was never inclined to be factious any further than to evince my duety and affection to the royall familie, so that no self-intrest shall drive me, God willing, from that point. Sir Archbald Stewart has been with me this last night, he being on his journey to attend the parliment, with whom I have discoursed, and has let him know my inclinations annent what your lordship was pleased to write to me, who will, if your lordship please, impart the same to yow. Wheron I would have insisted heir, if I had not been straitned with time, and that he is bearer heirof, who knowes what further I have to say. I receaved a lyne from your lordship's son, Mr. James, annent his affair here, and has given a return to it, which your lordship may call for. I shall not trouble yow any further at this time, but only I presume to shew your lordship that Breadalbane treats me somewhat unjustlie. Thus, he once offered me the seall of some lands that lay nearest me, which offer I accepted, and was as ready as any to have payed money for it. After the treatie had continued a year and more he shooke it off, and now is selling it to others. And now I projected to have had a little convenience of that bargane that lay nearest me, which I am like to be disappointed of also. My lord, excuse this freedome of mine, which I had not used if I had not been assured of your lordship's kindness and freindship to me, as your lordship may be assured of the good wishes and service of, my Lord,

Your verie affectionat cousine and faithfull servant,

CAITHNES.

I am straitned in my freedom, because I am necessitat at present to make use off an amanuensis.

354. [GEORGE FIRST EARL OF CROMARTIE to QUEEN ANNE, with a copy of his
Treatise on the Gowrie Conspiracy.] Copy.

June 1713.

MAY IT PLEASE YOUR MOST SACRED MAJESTIE

To accept my small performance of a piece of duty, small as to its bulk and as to my work in it, but of import enough to the honour and reputation of that great and happy king, King James the Sixth of Scotland and First of Britain, who, crown'd in it, did crown it with more glory, peace, and riches, by far than any; yea (nor is it a great hyperbole to say), almost then all that former kings had done. Nor did his favours to Britain terminate with his life: for, above sixty years after his death, one hath sprung of his race who certainly hath pull'd England from under the heaviest burdens which ever it did or could bear, and rescued her kingdoms from the greatest danger that hell or her enemies dar'd threaten. The occasion of my little task was this: where ever there is any image of divinity, the devill cannot forbear endeavours to deface it, but (to be sure) to defame it,—he being a liar from the very beginning. In which humour he did stirr up the young Earle of Gowrie, with a brother and five or six other partizans, to murder this young king, thereby to prevent the many goods to church and state which were the predestin'd glory of the happy James. But the wisdom and power which had so ordain'd to be his lot was too hard and unsurmountable by the force or plots of hell and its ministry.

The hellish plot was so dark that it was hid, not only from view, but from suspicion, and the accident which did prevent the blow, had so little connection with the important design, and so void of all concatenation in the series of a project which requir'd so much craft, as to remove not only all probability, but even possibility, of a counter plot, or any design to prevent the mischief.

And in this never was there a paralell more circumstantiated to it than the other attack made against the same darling of Providence by the gun-powder treason.

The devil's force fail'd, but he could still lie ; his armyed troops did fail and fall ; yet he knew that a lying spirit might be put in the mouths of prophets. Since he could not kill, he would at least defame ; and for that he found ready tools in some schismatick clergymen, some factious noblemen and incenst relations of the traitor who with impudence, and indeed ridiculously, did transpose the hymns for deliverance without rhyme or reason, advancing by whispers at that time as if the King should have been the ploter and murderer in this tragick scene.

Tho then it was only whisper'd, yet the heirs and successors of these schismatick and factious persons did thereafter foment the comment, and when they design'd the rebellion against King Charles the First of glorious memory, some of them impudently, others ignorantly, did make use of this calummie amongst other false and filthy inventions to bespater the brightness of the royal race.

The lie was loudly enough given for redarguing of the calumny by the judicial proceses wherein sentances were given in methods faire and open above suspicion, the juries being men of undoubted truth and honour, and many of them in near relation to the unfortunat Earle who would have defended him against any adversar or opposer, except truth and loyalty, to both which, in this matter, as they owed, so they owned just submission and did their duty.

In the punie rebellions attempted against King Charles the Second (that Hercules against rebellion, tho' oftener with a staff of mercy than the club of justice), when ever the whigish serpent began to stirr its tail, its heads (for they had monstrously many and were indeed legion) did always hiss lies

and calumnies—the musick or rather alarms of their warlike trumpet : nor was there any tune more frequent than the rondelay of Gowrie’s murder.

In the year one thousand six hundred and eighty two, when I was employed as a servant to the King and a trustee for the people, in keeping of the Publick Records of the nation, which had been always kept in the securest repositories that the kingdome could afford, so that they were never violented nor expos’d to danger but by the two Englishmen, King Edward and Oliver Crummle ; and even by these the records of judiciale proceeding in the courts of justice were left untouch’d, and are so to this day.

As it was my duty, so I made it my work to serve both my master and fellow citizens faithfully, as matters did occur in my office. The records were in great confusion by their being carried from one repository to another for their preservation in times of rebellion. This made my task the greater, but my search the stricter.

In this search, the first considerable thing that occur’d to me was these records and papers which did to a demonstration evince that Elizabeth Muir was the lawfull and first wife of Robert the Second, and first king of the race of Stewarts, and consequently which did disprove a notable and almost a Catholick lie entertain’d (to astonishment) both by historians and lawyers here and in severall other nations. And yet by these papers and records nothing can be more true, and appear so, than that she was both his lawfull and first wife, and espous’d to him in and with more solemn acts than perhaps any marriage in Europe can pretend to have, and by the most authentick avouchers than any other case can shew.

I did then dutifully print and publish that vindication of the royall family from the forg’d stain cast on our crown and on all the other crown’d heads in Europe. I did not print many copies thereof, and therefore I have now order’d a second addition thereof.

The next thing that occur'd in my office was the records and papers now printed, vindicating King James and his race from the stain of Gowrie's murder, and the parliament and judicature of the nation in their irreproachable justice executed on Gowrie and his complices.

I once intended to have printed it then, but the hissing serpents did shrink into their caverns, frightened with other wapons than paper ones. But hearing some months agoe that this Cadmus was reviving by vertue of some preternaturall heats which would warm them into life again, I thought I could not [better] employ my present repose, which I enjoyed by your Majestie's favour, in a removal from all publick service, then in exposing the little fruit of my former labours as usefull antidotes against the posionous weeds when they seem to bud.

Humbly hoping that my small offering may be graciously accepted, and that your Majestie would protect me and my little labours, which I am sure are faithfully perform'd by

Your sacred Majestie's most humble, most obedient and faithfull subject
and servant.

Indorsed : "Coppie letter to the Queen, June 1713."

355. [THE SAME TO THE SAME.] Copy.

5 November 1713.

MAY IT PLEASE YOUR MOST SACRED MAJESTIE

To allow, at lest to pardon, the boldness of an old servant, who, tho he does not pretend to merit, yet does with confidence enough claim the esteem of having been, and being now, for sixty years past, a faithfull, loyall, and dilligent servant. It were both presumption and indiscretion to offer an interruption to your Majestie's great and royall thoughts, or to consume any

part of your precious time with a little detail [of what] I have done or could do. May I be excused to say this far, that since I had the happyness to be providentially introduc'd to General Monk's acquaintance in the year 1658, and thereby to an opportunity of being (in my small capacity) one of the instruments who perswaded him to undertake that glorious and never enough renown'd action whereby the Royall Family was rais'd from the deepest abyess of rebellion and confusion to a glorious establishment in its legal and lineal succession ; whereby, as it were with one stroke, rebellion and faction were quash'd, and peace and justice restor'd. I humbly say that from that time to this day, having been continued in some post of publick service, and through most of the greatest stations, yet my conscience doth not accuse me that ever I fail'd in duty to my Prince (would that I could say so to my God) ; nor did ever man accuse me therein, onc miscreant excepted, who with his complices could only have been pardoned by your Majestie's unexhaustable clemency. But, in place of pardons, I thank God and my Princes, I have sufficient approbations : nor did I fear the want of them ; so bold is innocence even in low situation. I was by your Majestie's royall commands instrumentall with all my possible (and not very ineffectuall) zeal, in carrying on the Union of Britain, nor do I yet repent that, notwithstanding of the black clouds rais'd in it by malevolent designs, which I fear will not stop there, if a stope be not given to the designers, which I hope and wish that your Majestie, who have more advanc'd that great and healing work than all your royall predecessours did (tho oftines attempted by them), will bring it to perfection, and will dissipate these magicall mists which do as yet darken it. Tho I do not deny that the settling of a conquest is as glorious as conquering itself. Yet by that Union none of your Majestie's servants have lost so much in particular as I have done, all of these who did serve in my stations having been fully rewarded (which I grudge not), and also all

their arrears of sallaries and allowances due to them by the crown (mine only excepted) are payed. But why? I perhaps too vainly think that my ill willers cannot tell. This hath forc'd me to adventure on so bold and so long a letter, which I humbly beg your Majestie to pardon, and to cast your gracious eye on this enclos'd memorial, and to give your royall will in it, which I hope may be such as shall prevent the least further trouble to your Majestie, and a too great journey for an old man who hath need enough of retreat and quiet, and who was, is, and ever shall be,

Your Majestie's most humble, most obedient, and most faithfull subject
and servant.

356. MEMORIAL by GEORGE FIRST EARL OF CROMARTIE to QUEEN ANNE,
respecting Arrears of his Official Salary. [Copy.]

5th November 1713.

A Memorial offer'd, with all humble submission, by G[eorge] E[arl] of
C[romartie].

TO HER MOST SACRED MAJESTIE.

When the Union of Brittain was concluded, all the officers of state who had serv'd in the same or like station with him had this justice done them, that what was due to them for sallaries or services was, or is, payed, he only (who was unfortunately honoured with serving in most of them) excepted. He will not pretend to merit, but he dares assert his fidelity and dilligence. And tho, perhaps, his allowances were of more value than his work, yet he doth advance as a truth, that now, after sixty years publick service, he hath not added sixty crowns to his private fortune, albeit he never did live at a lower rate as he did when he was in publick stations. He did enjoy for some while the Register's office, which was lucrative: but five other lean coves did

devour and eat up that fat one,—nor did that cure the leanness. But his last journey to London was his most sensible hurt, because it was the last, and his former weakness did render him the less able to bear it. It is true her Majestie favour'd him with allowance to part with his office on a gratification, as was allowed to severall others who had not crime enough to be punish'd nor merit enough to be continued. He did receive 5000 lb., whereof (on truth) he left four at London, having stayed there near three years : and the Lord Treasurer hath since favour'd him with 600 lb., which was more than made his journey down be 400 ; so that he is reimburs'd 400 of 4000. Thus is he stated by that journey. He had not the least favour from those who stated his debentures of his former sallaries and allowances. However, the crown is stated debtor to him by the court of exchequer for 3072 lb. of principall in June 1708, with the interest at 5 per cent. to November 1713, which is 842 lb. As also for his sallary as justice general at Whitsunday 1707, for half a year, is 300 lb., making in all 4214 lb. I say four thousand two hundred and fourteen pounds.

The Earle of Cromertie's straits by the want of this money doth earnestly call for a present relief ; but, if it be more pleasing to her Majestie, it is humbly propos'd that a half of it may be now order'd, because of his present straits, and for the other half, since the Earle of Cromerty is her Majesties chamberlain for the earledom of Ross, out of which he hath retention of 400 lb. yearly for his life, which he had from his royall master King Charles 2d, and (as his Majestie did judge) for a most onerous cause, there will be a superplus yearly payable by him to the Exchequer out of these rents, which may extend to betwixt 2 or 300 lb. yearly, as the prices of the victuall shall be high or low.

It is therefore humbly propos'd that for payment of his debentures, amounting as aforesaid, there may be 300 lb. yearly order'd to be pay'd to him or his assigneys out of the rents of the earledom of Ross, the Lewes, and

Isle of Sky, untill he or they be payed of his said debentures and interest thereof. And this by a privy seal.

But he humbly hopes that a half or so of the debentures be order'd in money, whereby the lease will be the shorter.

And for this he humbly offers an assignation of the formention'd 300 lb. due to him for his Whytsunday sallarie 1707, and to sign his debentures on the Equivalent to any person propos'd that they may come in his vice on that fond. And perhaps severalls may be found to whom this payment may be assign'd who have not so very heavy a claim on the Crown as he presumes to pretend to.

This now desired by him is the same locality which was possesst lately by the Earl of Hyndfoord in a gratuitous pension, and fallen by his death, but now humbly begged for the payment of a most just debt.

His former pension may perhaps be ubraided by some ill willers. It was first granted on the following account. When Generall Monk resolv'd to invade the English rebels, he was in great want of money. The E[arl], being in the secrete, did advance 1000 lb. sterline. The King did then repay such services by pensions: that conferr'd upon E[arl] C[romartie], then Sir George M^cKenzie, was 300 lb. per annum, which General Monk diswaded him from accepting in view to have it doubl'd. But some while thereafter, the E[arl] of Lauderdale, then Secretar, falling in misunderstanding with the other Scots ministers, on account of Lauderdale's taking then the Whigg by the hand, the E[arl] of Cromerty his gift was stop'd. But he coming in to help Lauderdale at a dead lift in the Convention of Estates, anno 1678, the King did both renew and increase his gift, on consideration of its first cause. And that he wanted it for so many years, he did conferr a pension of 400 lb. on him during life, both under the seals and acts of court, with an express clause in his gift of chamberlainry to retain it in the first end of his intromission.

This gift is renewed and ratified to him by King James 7th, by King William and Queen Mary, and by her present Majesty, whom God bless.

This trouble I have given to prevent misinformation.

357. JOHN LORD MACLEOD to [his Father, GEORGE FIRST EARL OF CROMARTIE].

Coull, 26th February 1714.

MY LORD,—My wife continues still ill ; Doctor[s] Mackenzie and Bannerman are frequently with her ; both your Lordship's advice and their directions are punctually observ'd, particularly my keeping her merry and easie. As your lordships last advice in takeing the aire once a day aither in coach or chair, which the doctors advis'd, contributes very much to her ease :—this made her resolve to come up the countrey the length of her sister Coull's, the weather being very fair, as was the most part of winter ; but it alter'd of a sudden, and continues so stormy that we cou'd not look out of doors. It was with great difficulty that I gott the length of Dingwell the other day, to meet with the lairds of Tulloch and their friends according to your lordship's directions.

I told Tulloch your complaint, Coull, Applecross, Knockbaine, Captain Baine, and the archdean. I had nonne with me but Incheulter. All of them were satisfied of your lordship's just and neighborly intentions, but nothing cou'd prevail with Tulloch, I mean the young laird. He says he has a good right, and if your lordship show a better, he'l cede, and no otherwise. I likewise communicate[d] to him that part of the memoriall relating to the miln of Delny. He says that he's in no hazard as to that, seeing your lordship's last charter of confirmation to Mr. John Bayne of Delny includes the miln. There remains nothing to be done in this affair, according to your lordship's orders, but to acquaint the Marques of Seaforth, which (God willing) I'll doe

to-morrow. For ought I see, your lordship will never be rid of some pleaing laird or other in Ross : like the hydra, when one head's cutt off, two starts up. I'm perswaded that young Tulloch will by far outstripp both Aldie and Auchnacloich. This was told him by Coull and other gentlemen the other day att Dingwell, to which he made no returne.

I have giv'n such orders anent the drying of your bear att Tarbat Ness, that it will be ready against the ship's arrival. I know of what importance it is to have the victuall well dry'd for so long a voyage ; therefore I made it my business, and will answer for the performance, which your lordship may assure the merchand of.

I will be (God willing) at Tarbat Ness in a few days, and hopes to find the bear in good readiness.

Your lordship never sent the summonds as to the mosses of Delny. As I acquainted your lordship by express from Fortrose the 29th November last, I did direct the executions of the summonds against Aldie exactly according to order ; so, if any ommission, [it will] be the fault of the direction from Edinburgh.

I receiv'd your lordship's of the 11th instant, with the exchequer fiars for crops 1711 and 1712. I did accordingly acquaint all the fewars of Ardmanach and West Ross to meet me att Dingwell, Tuesday last, where I stay'd two days. Some of them came, I mean those benorth Conan ; those of the Ardmannach did not meet, and indeed it was not practicable for them by reason of the stormy weather. I am not to goe from this till Munday nixt, and in that time I doubt not but most of them will pay in their crown rent. Such as I have seen of them are very sensible of the favour they have gott, both as to the lowness of the fiar, and the long delay ; and in return make pleasant payment. I'm to meet with the fewars in East Ross, middle of nixt week. I will use all possible dispatch to remitt your lordship (as

Inchculter can conveniently carry with him). All the payments I've gott as yett is in silver, and I believe the most will be so ; and no bill to be gott att Invernes. I must acquaint your lordship that we have frequent reports of the passes of the Grampion being infested with robbers ; therefore I'll expect your lordship's particular order anent the method of remitting the crown rentt—I mean what Inchculter cannot carry with him.

I will not trouble your lordship further att this time, designing to writte by nixt post, and thereafter with Inchculter, particular answers to all the contents of your former letters. I've told your lordship of the extraordinary stormy weather we had since the beginning of this month. The other newes of our countrey is a warlike preparation of your neighbours in East Ross. The house of Fowlis and Inverbreakie have been garrison'd since Christmass last ; and this day I'm inform'd that your neighbour, Lady Ann Stuart, has done the like, and has sent the commander of the garrison, Mr. Donald MacKiligan, Invernes, to buy ammonitione. My wife gives your lordship her most humble duty. She is very sensible of the care and concern your lordship is pleas'd to have of her. There are some things that the doctors have prescriv'd for her which cannot be gott aither att Invernes or Elgin. I'll presume to acquaint your lordship of it by Inchculter. I am, my lord,

Your lordship's most obedient son,

MACLEOD.

I send your lordship the enclos'd, giv'n me by Sir John M'Kenzie of Coull open.

358. GEORGE EARL OF ORKNEY to [GEORGE FIRST EARL OF CROMARTIE].

London, 3d May 1714.

MY LORD,—I had done my selfe the honour to have answerd your Lordship's of the 17th Aprile sooner, if it had been in my poure ; but I was

willing to get all the informations I could about Mr. Mackenzie, whom you are pleased to recommend, before I troubled your lordship, and I am convinced you will be satisfied it was totally impossible. For since the Queen has done me the honour to give me the command of the castle of Edinburgh, I have got orders to reduce a lieutenant, and ensign, and those are to be the youngest; so that I have informed my selfe to see if he really was the youngest, and find it soe, and that he has noe manner of clame. Nay, I find he never had ensign's comission, which was not regular. Soe that I hope your lordship will beleieve I should have been very glad to have served him vpon your recommendation: but I am seure you would not have me doe an injustice which I could not have answer'd. The other is totally a stranger to me, nor has any mortall write one word to me in his favoure. I will trouble your lordship noe longer. I wish you your health, and am with great truth, my lord,

Your Lordship's most obedient humble servant,

ORKNEY.

359. SIDNEY GODOLPHIN, EARL OF GODOLPHIN, Lord High Treasurer of
England, to [THE SAME].

May 16, 1714.

MY LORD,—I have received the honor of your Lordship's with the enclosed, which I shall lay before the Queen this day: but the men having been all imbarqued in Scotland before the letter came from thence, it is not probable that any orders which should now bee given for an additional convoy would reach thither in time for that service.

I am glad to hear there is so much as the appearance of calmness and

moderation in Scotland. The continuance of that temper will be very good news to

Your Lordship's most humble and faithfull servant,

GODOLPHIN.

360. JOHN LORD MACLEOD to [his father, GEORGE FIRST EARL OF CROMARTIE].

New Tarbat, 30 June 1714.

MY LORD,—I have been in Coygach since the 26 of May without any return from your lordship to mine of the 23 May or 14 June ; and having finished the houses mentioned in my last as the most necessary and convenient for lodgeing the stores, etc. aboard the shippes consigned from Whitehaven or Liverpool for Loch Broom, against the 20 of May last, which have not yet arrived, the circumstances of my family calling for my return by two expresses giving me ane accompt of my wife and childrens indisposition, my wife being lett blood in ane extremity, and Nellie and Gideon having after recovery of the small pox contracted a chin cough, wherof and of teething the latter dyed. Nellie is weak and hectick, her cough violent, and Will and Peter are uneasie by it: only George and Rorie are as yet free. I am anxious to hear from your Lordship, and the rather that in yours of the 10 of June no mention is made of mine of the 23 of May, which makes me fear miscarriage or intercepting,—mine going by the Innerness Highland post.

Sinc my last, I have entered in contract with John Mackenzie, uncle to the present Gairloch, by which he undertakes for all the fishing boats in Gairloch, also weell for the white as herring fishing, and that not only in Gairloch, but also in Lochew and Torridon, as the herring shall be found to swim ; and for ane essay, for one yeire from the first of August next to August thereafter, for his manadgement of that branch and station he is to receive

threttie pound sterline. The motive induced me to goe in to this measure was that these boats wer formerly engadged by a company of Innerness merchants, manadged by Gruinard, who built ane storehouse at Gruinard on their charge, and hade for his manadgement 50 lb. sterline yearly. John, having in concert with his uncle the tutor the manadgeing the countrey people, hes brock up the Innerness company there, and given me the oportunity of settling that station for your lordship and company, it being reckoned the most valuable branch of white fishing on that coast. If this settlement shall be acceptable, let me have it approven; if otherwayes, I cann disingadge my selfe, and these formerly ingadged will thank me to let them continue in their former enterprize. I have given warrant for building ane small house at Gairloch, by the tutor's allowance, for the safe keeping the stores of provision proper for that branch of fishing, or that the tutor built it himselfe, and receive rent therfor, in his option. Ther is a very good splitter there imployed by the former undertakers, and who will be induced to continue with the company. His former sallary was 24 lb. sterline for all pretences of meat, etc. The couper had 10 lb. a yeire, the rollers, turners, and others, as imployed: anent all which your lordship will be pleased to give your advice. Till further advice I cann determine no further than what [is] alreadie done. I had your lordship's of the 23 of May, giveing a hint of what [you] write of the 24 of Aprile anent the fishing, and mentioning the statues shipt at Lieth, and these more particularly narrated in your lordship's of the 10th of June instant: but the ship not being yet come, cann say nothing till its arriveall; shall then use all diligence in livering what [your Lordship] recomended, which I am afrayd will prove both uneasie and difficult. But nothing shall be omitted in my power; and if the circumstances of my family allowes, though I have left particular orders for livering the shippis at Loch Broom, shall endeavour to be there, that I may witness

every thing done to the best advantage. I wish I may have the satisfaction of seeing your lordship here, that your lordship may be at hand to give advice and countenance in every thing emerges ; and a happie and safe journey is what is heartiely prayed and wished for by, my Lord,

Your Lordship's most obedient sone,

MACLEOD.

I omitted course cloath and gray paper in my last for the countreys use. The paper is for the lighting of the barrells.

361. [DAVID THIRD EARL OF WEMYSS to GEORGE FIRST EARL OF CROMARTIE.]

Weems, July 11th, 1714.

MY DEAR LORD,—I'm not att all surpriz'd that your angry with me, nor really that it may seem odd to you my running out of town so hastylye. I can't say but it gave me a great deall of pain, but not so much by the fiftyeth part as it would have done the taking leave of you ; for that is a weakness in me, I'm oblig'd to acknowlege, that I had rather doe any thing as part with one I love in any kind of particular way. I have, in the time I have liv'd in the world, suffer'd very much that way, and it raises such a cloud of melancholy remembrances upon me, that I dare say you'l forgive me, now that yow know the reall cause, and believe me that there's noe man upon earth that wishes you better both in time and to eternity. In faith, Cromartie, I never thought (altho' I lov'd you very well) but I could have stood the shock of parting with you ; but I found when it came to earnest I could not venture it.

I shall endeavour to obey all your commands and good advices to the outmost of my power, and I wish to God you had continued nearer me to have

renew'd them often. I wish you happy home (since it must be so) with all my soull, and will endeavour to amuse myself with some hopes of your return, but wherever you are may God Almighty bliss you. My heart grows really to big, dear Cromartie, to say any more but that

I am sincerely yours.

Indorsed : "E. Weyms, 1714."

362. GEORGE FIRST EARL OF CROMARTIE to THOMAS ROBERTSON,
Bailiff of Inverness.

4 Agust 1714.

SIR,—I forgot in the other letter to intreat you to cause draw half a piece of the best claret and send it to me by the same boat, that I may get it free of jumblin; as also four gallons of the best brandy. All which I recommend to your care. I rest

Your affectionate servant,

CROMERTIE.

To Mr. Thomas Robertsone, bayliff of Inverness.

363. GEORGE FIRST EARL OF CROMARTIE to his Son, SIR JAMES MACKENZIE,
LORD ROYSTON.

12 Agust 1714.

DEAR SONNE,—Yee should not take it ill that I writt to you by a borrowed hand, for as I had litle to writ, and that the fash of my bills was left on Mr. Colt, what I had to say did fall on him. I am in great confusion; for tho I have no publick busines on my shoulders, nor money in my pocket to burthen me, yet I have come to build and furnish a house, with 2 tolerable ones, and 4 ordinar ones, and some hings; and withall a house to build (for so really it is), and scarce furnitur to cover us, and most of our litle

family doe ly on the floors, and rent and custom taken up *ante manum*. This as to privat : and as to publick, all round me were mustering, arming, and that very weell too, and guards about all houses. If I had not been heer, I fear fears had come to blows. Taine proclaimd the K[ing] yesterday, I beleeve, *autoritate vel sua vel ecclesiastica*. I profess I know not my duty as a shireff in the case, but waits ether instruction or ordors from the superiors. It will be charity at least to send to me news and papers direct, and tell my other freends so, that they direct all letters to me by the Dingwall bagg, to that postmaster's care. I wish all freends and relations weell : so adieu !

Is it not lawfull for heartie people to set up banefires when they please ?

Is [it] not lawfull for a burgh to proclaim a king when they hear that he is declared to be king ?

Is not hasty zeal on such ocasiones meritorious ?

To my Lord Roystoun att his lodgings at Edinburgh.

364. GENERAL CHARLES ROSS to [GEORGE FIRST EARL OF CROMARTIE].

London, August the 28th, 1714.

MY LORD,—Having heard of your lordships intention to go to the shire of Ross, I delayed acknowledging the honour of your letter till I should know that yow wer there, that I might att the same time congratulate your lordship on your safe arrival after a sea voyage. I must now oune my fears of loseing the five guineas I wadjer'd with yow att Edenburgh,—the first part being performed by your lordship, which will give me the greater inclination to perform the other—and I cannot repine att the loss of my money, since it is to be spent in a mirry bout. The sincerity with which I have assured your lordship of my desire to live well with yow, obligess me now to acquaint your

lordship with my intention to offer again my service to the shire of Ross att the nixt election, in which I shall think myself very happy if I have the honour of your lordship's concurrence, haveing no other intention in it than that of serving the shire and my country faithfully. I shall be proud to receve your lordship's commands in this place, and shall add no more to this but the assurancess of my being, with the utmost respect, my lord,

Your lordship's most obedient and most humble servant,

CH. ROSS.

365. ALEXANDER ERSKINE, LORD LYON, to [JOHN LORD MACLEOD].

London, September 2d, 1714.

MY DEAR LORD,—I hav writt a long letter to my Lord your father, and therfor must nott repeat whatt I hav said to him to you ; only be assurd from me that their never was any tym when their was mor need for honest men to stick together and indeavour to mak a good electon for the nixt parliament when itt is cal'd, which is expected very soon. Therfor I hop, my lord, you will not be wanting to gett evry honest man to work to gett honest men elected. You are abell to goe about, which my lord your father is nott, and I dare say you will not grudge itt. If wee are nott abell to assist the Tories here, wee shall not hav so good a tittull to their help and protection ; and if wee fall in the Whigs' mercy, what will com of uss. I hop you will mend your hand in your north country, and send us a better representation then we hav now. You and the country of Scotland I would expect most honest men from. I send you here inclosd a skem for the magistrats and toun counsell of Tain, which, when you read my lord's letter, you'l see the reason of ; and I beliv you'l fynd itt easy, from thos who did oppos you last, to alter what you pleas in itt. My lord, as to Doctor William Strachan, my lord your father

will giv you ane account of him, from which I am very sur you will hav a plesur to serve him, as evry body does that knows him. The last election was so manadgd for him that they did not so much as know his Cristian nam : so I will trubell you with his nam and designation—Doctor William Strachan of Doctors Commons : this is so as he ordinarily designs himself, tho' indeed he is judge advocat of the navy, and was chosen to that post purly for his meritt, and best deserving itt of all the civilians, without so much as his knowing of itt untill itt was don. He has lykways a place in the Knight Marrishal's office, and secretary deput to the earle of Mar. My dear lord, I need say no mor to you on this head. I will intreat of you to giv my most humble respects to my Lady MacLoud and all your family, and I assur you, my dear lord, I am, with very much respect,

Your lordship's most faithfull and most humble servant,

ALEX^R. ARESKINE, Lyon.

366. TO JOHN ELEVENTH EARL OF MAR.¹

Edinburgh, 2d September 1714.

MY LORD,—This place affords very litle news, there being very few people in it. The Earl of Cromarty died Friday last, universally regrated. Upon hearing of the Queen's death he shutt himself up in his closet for three hours, was very melancholly when he came out, went to bed, and never rose again. He was become extremely weak before. Mr. Douglas of Glenbervie was yesterday receiv'd as sherif deput of this shire. Mr. Rig, his colleague, told me this day that the squadrone had caus'd tell him, that if he did not appear for Mr. Baird he should repent it, but he seems resolute to stand for Carnwath. Mr. Hamilton of Bancrieffe competes with Mr. Dundass of that ilk for Lith-

¹ Original Letter in Mar Charter-chest.

gowshire. We have it talkt here that my lord Ormeston sett out for London on Tuesday from his own house in the countrey, as did the earl of Buchan post from this yesterday morning. It is said here that the president is to dimitt to be succeeded [by] Sir David, his brother, who is to give him £500 per annum. Sir James Stewart, advocat, and Sir Robert Dalrymple, solicitor.

Your lordship has one from Mr. Hamilton and my lady; one from Mrs. Bannerman, which will give a full accompt of the children's being well.

367. ALEXANDER FOURTH LORD ELIBANK to [JOHN SECOND EARL OF CROMARTIE].

Balencieffe, September 6th, 1714.

MY LORD,—I had the honour of your lordship's on Friday last, giving ane account of the earle of Cromartie's death, which every body will regrave that were so happy as to be acquainted with him; although I reckon it was lucky he went north before he dyed; and I hope he hath settled every thing for the advantage of your lordship and your family. My wife was safely brought to bed of a daughter the 3d instant, who was christened Mary, yesterday, after my sister. My wife and sister Bettie gives their most humble duty to your lordship and lady, as so doeth, my lord,

Your lordship's most affectionate brother, and most obedient and humble servant,

ELIBANK.

368. JOHN EARL OF MAR to [JOHN SECOND EARL OF CROMARTIE].

Whithall, September 7th, 1714.

MY LORD,—I heartily condole with your lordship for the loss of my good friend, the earle of Cromerty, which your lordship's of the 27th of August gave me account of yesterday.

I am very seusable of the honour you do me in what you are further pleased to say in your letter. I have the honour to be your relation, and my endeavours for your service shall never be wanting.

The ensuing elections will give me an opportunity of seeing your lordship soon in Scotland. It is hard yet to tel how things may go upon that occation. It were to be wisht that parties were laid aside ; but I am affraid that is more to be wisht than expected : and as long as they continue it is very naturall for your lordship to succeed your ffather in the Torie partie, as in other things. If we all who are reckoned so stick together, we shall be able to make a good figur, let the other side designe against us what they please. I have reason to belive that a good number of us will, and considering your lordship's familie intrest, I humblie think it will be for your advantage to be with us. I need not be more particular til I come to Scotland ; but I hope in the meantime your lordship will not engadge your self otherwise, and when we meet there, I shall be very free in teling your lordship my oppinion. I shall not doubt of your lordships favour as to my self in the election ; but I shall be very glade we be entirely together as to all the rest to be choseu.

I hope our friends amongst the comons are not idle in secureing their own elections. Your lordship has a considrable intrest in that country, both in shires and touus, and the more you bestirr your self for our friends, the more it will be for your own iutrest. I know Lord Lyon wrote to your lordship concerning Doctor Strachan's election in the northermost district of touns, and I hope your lordship will give him your assistance. Our cousin, Collouell Alexander M^cKenzie, I belive, sets up for Iuerness, etc., and I wish heartily he may carie it ; for I suppose George does not stand, who, by the by, I wish it were in my power to serve. I hope your lordship will get a good man returnd for Cromertieshire, and also for the other places where you have intrest.

Your lordship will have applications made to you, I know, by severalls

Whithall Septm 7th 1714

My Lord

I heartily condole wth yr loss
for the loss of my good friend the Earle of Cromer-
=ty, w^{ch} yr loss of the 24th of August gave me
account of yesterday.

I am very sensible of the honour you do me in
what you are further pleased to say in yr letter.
I have the honour to be yr relations & my endea-
=vours for yr service shall never be wanting.

The ensuing elections will give me an opportunity
of seeing yr loss soon in Scotland. It is hard yet to
tel how things may go upon that occasion; It were
to be wisht that parties were laid aside, but I am
affraid that is more to be wisht than expected, And
as long as they continue it is very naturall for yr
loss to succeed yr ~~father~~ father in the Forre parties as in
~~other~~ things. If we all who are reckoned so thick to-
=githor we shall be able to make a good figure ~~at~~
let.

let the other side designe against us what they please.
I have reason to believe that a good number of us
will & considering yr lops familie intrest I humbly
think it will be for yr advantage to be wth us.

I ~~will~~^{need} not be more particular til I come to Scotland,
but I hope in the mean time yr lop: will not engage
yr self otherwise & when we meet there I shall be very
free in telling yr lop: my oppinion. I shall not doubt
of yr lops favour as to ~~my~~ self in the Election, but
I shall be very glade we be entirely together as to
all the rest to be chosen.

I hope our friends amongst the comons are not
idle in fourding their own elections, yr lop: has a
confidorable intrest in that country both in shires
& towns & the more you bestir yr self for our friends
the more it will be for yr own intrest. I know L^d
Lyon wrote to yr lop: concerning Doct Strachans
election in Northmost out of towns & I hope
yr lop: will give him yr assistance. Our Cousin
Col^l: Alex: McKenzie I believe sets up for Inverness
etc & I wish heartily he may carie it, for I
suppose

George does not stand, who by the by I wish it were
in my power to serve. ~~But~~ I hope yr lorp: will get
a good man returned for Bromertie shire & also for
the other places where you have intrest.

Your lorp: will have applications made to you I know
by foveralls concerning the elections, but I hope you
will keep yr self outwre & unengag'd as to the Election
of the peers til we meet at Edinbrough & to assist those
of the commons who we are sure are our friends
& have been in our intrest.

I'll trouble yr lorp no more now, but to assure
you that I am wth all truth & esteem

My Lord

Y^r lorp: most affectionat
cousin & most obedient
humble servant

Mar.

88 hit hall
Septm: 7th 1719

concerning the elections, but I hope you will keep your self entire and unengag'd as to the election of the Peers til we meet at Edinbrugh, and to assist those of the Comons who we are sure are our friends and have been in our intrest. I'll trouble your lordship no more now but to assure you that I am, with all truth and esteem, my lord,

Your lordship's most affectionat cousin and most obedient humble servant,

MAR.

369. WILLIAM FIFTH EARL OF SEAFORTH to [JOHN SECOND EARL OF CROMARTIE].

London, the 11th of September 1714.

MY LORD,—It is naturall for me to share with your lordship in your just concern for my lord your father and my grand unkle's death ; but I hope your lordship bears so great a loss with an equall mind, since the contrary is but to repine at superior decrees, and that nature of a long time, by cleaming that duty, seemed to prepare your lordship for it.

That I may not, by insisting upon this melancholy subject renew your lordship's trouble, I'll forbear it, and wish you much joy to your additionall title, which coo'd not have devolv'd to your lordship more opportunely than now ; for my lord Portmore beg'd I woo'd doe him the favour to joine my interest with his own, to obtain your lordship's vote for him self at the ensuing election of Peers. I thought I coo'd doe no less than comply with my lord's desier, since I forsee it may turn to good account to your lordship, as he has already expres'd him self.

There being no time to loose, I must beg a sudden answer. If your lordship complies, it will be an obligation upon my lord Portmore, and upon, my lord,

Your affectionat cousin and most humble servant,

SEAFORT.

370. ALEXANDER FOURTH LORD ELIBANK to JOHN SECOND EARL OF CROMARTIE.

Balencriffie, January 24th, 1715.

MY LORD,—I have written twice to your Lordship without any return. The parliament being now dissolved, it is very fit, in my opinion, your Lordship should be at Edinburgh before the next elections; for it is certain the court will be able to carry what Peers they have a mind, and your Lordship, by complying with these measures, may have a fair opportunity of procuring to yourselfe the same pension the late Earle of Cromartie, your father, had; whereas, by doing otherwise, it may be prejudiciall to your Lordship and family. I do declair I have no further view in the matter but what may intierly conduce to your own interest, which I shall always have as great a regard to, and indeavour to promote, as much as my own. I need not tell your Lordship that the only thing that can make friends and relations considerable is their sticking clos together; so true is the dutch motto, *vis unita fortior*: whereas we are sure, from the scripture, that a house divided against it selfe cannot stand. Wherefore I earnestly intreat you'l honour me with a return, that I may know your sentiments at this juncture; or at least let me know when I may have the good fortune of seeing you here, that we may concert such measures as may contribute to both our interests.

I received, last post, a letter from the Duke of Montrose, wherein he desires me to sollicite your Lordship in favours of one Captain Alexander Urquart of Newhall, who designs to stand for member of parliament for the shire of Cromartie; so that, if your Lordship be not already preingaged for one of your own relations, I beg it as the greatest obligation your Lordship can do me, that you will be pleased to use your interest in favours of this gentleman in the insuing elections. This is the first favour ever I asked of your Lordship, and therefore I hope you will not refuse it me. And besides,

your so doing, I am perswaded, will conduce to your own advantage. Be pleased to accept of my wife's, sister's, and my most humble duty to your Lordship and Lady, and all your family; and believe me allways to be with the greatest respect imaginable, my Lord,

Your Lordship's most affectionate brother and most obedient and
humble servant,

ELIBANK.

371. The HONOURABLE JAMES ERSKINE, LORD GRANGE, Lord Justice-Clerk,
to [JOHN SECOND EARL OF CROMARTIE].

Preston, 5 October 1715.

MY LORD,—I beg your Lordship to pardon me for not doing my self the honor to wait on you at Beanston Muir, for my health has not been good these eight or ten days. And tho I was at Hadinton, where the meeting was in a house, yet to be so long on ane open muir, till I be in a better habit of body, could not faill to do me much harm. I have sent my proportion of men, and several of the best and most respected men in the place to carry them to the place of rendevous, and deliver them to the officers whom your lordship appoints to command them. I told your lordship on Teusday that I have only four guns, two of which are with the guard at Seaton, and the other two, I think your lordship allow'd me to keep at home; it being hard that a house in the country, which may be attack'd by thieves or robbers, should be altogether without fire arms. I will not trouble your lordship any farther, but I have taken the freedom to write to your deputys what concerns this parish with respect to the militia, who will acquaint your lordship of it as there is occasion. I hope your lordship will do me the justice to reckon upon me as one who is firmly determined to serve his Majesty King George

and our country to the best of his ability, and who is, with very great truth and respect, my lord,

Your Lordship's most obedient and most humble servant,

JAMES ERSKINE.

372. PATRICK HALDANE of Gleneagles to [JOHN SECOND EARL OF CROMARTIE].

London, 20 October 1715.

MY LORD,—This day, about ten of the clock, arrived ane express from Scotland with the melancholy account of the town of Perth being ceased by the rebels. No assistance of men or armes was sent to it, so it was surrendered without opposition to a party of 150 horse commanded by Collonell Hay, son to the Earl of Kinoul. There are no further accounts of the number of men with Mar, nor what advancement he hath made in his march to the low country. Perth was possessed on Friday. I have not heard how they have treated the magistrates, who were all very honest men. This day were carried up to the house of peers the replications to Oxford's answears, and ane adress sent by the Peers to his Majesty to cause fitt up Westminster Hall for his tryall. Strafförd hath obtained to the first of November to prepare his answears. There are no other news. Wishing your lordship a safe journey, I am, with all respect, my lord,

Your Lordship's most humble servant,

PAT. HALDANE.

373. LADY ANNE LINDSAY, wife of James third Viscount Kingston, to [JOHN SECOND EARL OF CROMARTIE].

Whittingham, October 31, 1715.

MY LORD,—Opon your Lordship's forst ordears my Lord Kingstun's hors was ready, but the hilandrs coming to the contrey stopt every body's hors

from gouing owt. The last advertsmnt was so short, it hais not been in my pover to send souner then to morove. On Sunday last there came a peper which was read in the coureh, ordring my Lord Kingstun to pay sixs pound of penelty: I can not but seay it's hard for tow or thre days abeseans. I have now sent a hors, the beast I have, and all souteabl forneter, and I depend upon the frindship your Lordship hais been pleased to seay you had for my Lord, and I presueam somwhat upon the honowr I have to be your realeshion; so I hope you will except of the hores I send, and order to take of the penlty. What comands your Lordship hais, pleas to give to the bearer, whow is my lords tenent, and be ashoured non wishes more hapenis to your Lordship then, my Lord,

Your Lordship's most hounball seruaut,

ANNA KINGSTUN.

I beg live to give my most hounbll seruiss to my Lady.

374. ROBERT PRINGLE, Secretary of State, to the MARQUIS OF TWEEDDALE.

Whitehall, November 4th, 1715.

MY LORD,—I had yesterday, by a flying pacquett, the honour of your Lordship's two letters of the 27 and 29, and by the ordinary post this day I have receiv'd a duplicate of that of the 29, all which I have communicated, as your Lordship desires, both to my Lord Tounshend and to Mr. Secretary Stanhope, who have ordered me to assure your Lordship that they will not fail to lay before the King what your Lordship represents of the part you have acted for the preserving of the publick peace in that county of which your Lordship is leivtenant, and which they doubt not but shall meet with his Majesty's full approbation. And that your Lordship may be apprised of the King's present sentiments in relation to the keeping up of the militia

upon the expiring of the 40 dayes, they have ordered me to transmitt to your Lordship a copy of the letter they have been directed to write on the same subject to the Duke of Argyle, which your Lordship hes herewith inclosed. As to your privie seal, I think it stands much as it did when you left this place, the delay of it being turn'd over upon the great hurry of business, and the changes that hes been in the tresaury. I shall employ the first leisure hours I have, which indeed, at present, are not many, to sollicite it. As to the other quarters sellary, I take that to be of course, and I shall endeavour to inform my self when your Lordship is to expect it. I have this day receiv'd Sir Robert Hay's commission from Colonel Campbell, and delivered to him your Lordships bill you left with me : and I shall be glad to knou, as soon as your Lordship can, which way I am to dispose of the commission. I can give your Lordship litle neus from this place : our great expectation is from your parts, and I am heartily sorry they have been for some time so much the subject of neus. We would willingly flatter our selves that our confusions drau to an end, that the party which was at Kelso must disperse, that the Duke of Argyle will be able to make head against the Earl of Marr, especially if joyn'd by the regiments from Ireland, two of which sett sail on the 26, and the third on the 23d past ; and I am glad to tell your Lordship that his Majesty hes ordered 3000 of the Dutch troops to land in the Frith of Forth. We have no certain accounts of the Duke of Ormond, and whatever disposition hes appeared in several parts of this countrey to an insurrection, it seems to have cooled much ; and there is such a disposition made of the forces, where it was most expected, as will in all appearance be sufficient to prevent or suppress what may happen of that nature.

Our last neus of the Pretender was that he had left Bar le Duc, and was come to Chateau Thierry in Champaign, upon which my Lord Stair had presented a memoriall to the Regent, who thought fitt to direct the Duke de

Guiche, governour of that province, to give orders to Major General Contade to carry him back to Lorrain, and to this purpose to use force if necessary; and my Lord Stair writes that Contade was gone from Paris to putt these orders in execution.

Your Lordship may freely lay your commands upon me, who am, with all possible respect, my Lord,

Your Lordship's most humble and most obedient servant,

RO. PRINGLE.

Lo. Mar. of Tweeddale.

375. LADY JEAN HAY, Countess Dowager of William first Earl of March, to
[JOHN SECOND EARL OF CROMARTIE].

Neadpeath, the 4 of November 1715.

MY LORD,—I am very sensible of your Lordship's kindnes and frind-sheep to me and my familie on all occations; but the desser you have in your letter is surprising to me, and the mor when I understood by Mr. Murry the occation of it. The stories your Lordship hears is without ground; for, for ought I can find he hath no such thoughts, and often says this is a strang undertaking without any sertinty of the Pretender's coming to them. And besids, this contray is in perfect quiet, and much out of the road of any disturbance, so that I am mor at eas then wer I else wher. My son is at present from hom, but [I] shal propos your disser to him so soon as he coms home, and let your Lordship know what I then resolve; so will truble you with no mor at present, being in all sincerity, my Lord,

Your Lordship's most affectionat ant and humble servant,

J. MARCH.

Alow me to give my most humble serves to my Lady Marchionas: my childrin is all your most humble servants.

I most let your Lordship know that the Malitie of this contray will be a grat burdin to it, for ther never used to be mor then the quarter required. Had my Lord Anandell required a fewer numbre of the fensibell men they would a com out, but 400 was mor then this place could bear, ther not being much above 2000 of the wholl; and after all ther is no arms hear, being tuk at the revolution and for the oths. Nor do we lik the colinell being ignorant of the tread. I once proposd Lord Douglas. So, my dear Lord, again adew.

376. JOHN THIRD* LORD BELHAVEN to [JOHN SECOND EARL OF CROMARTIE].

Linlithgow, November 5, 1715.

MY LORD,—I had just now the honour of your Lordship's letter, acquainting me with your resolution of sending the dragoons of the East Lothian troupe that are left at Edinburgh, to quarter at Hadingtown, to preuent correspondence beeing keep'd between the rebels in the north and south of Scotland. When I was ordered hither by Generall Whitman, I namd the officers that were to march with the two troupes, which he agreed too. I no sooner came hither then I acquainted the Duke of Argile with what officers were march'd hither with the troupe, and with the number of the detachment out of each troupe. In answer to this his Grace ordered me to ly at Linlithgow till such time as I hade orders from him to march. This beeing the case, I submitte it to your Lordship whither aney of the officers are to be remoov'd without acquainting his Grace, which I shall doe by the first opportunity, and shall in the mean time wait your Lordship's answer, which I shall, as upon every occation, punctually obey. In the mean time I shall humbly propose to your

Lordship (since the detachment here is compos'd out of both troupes), your Lordship will be satisfied with a detachment of both troupes that are now at Edinburgh, to be commanded by either the leutennant or cornelle of the Midlothian troupe, who are both at Edinburgh, and will be redy, I beleave, to be commanded by your Lordship. If I durst presume to give your Lordship my humble opinion about the most effectuall way of stopping that correspondence, which I doe presume must be at Aberladie or thereabouts, I doe thinke a few foot lying alonge that coast, at such places [as] the Laird of Luffness could point out to your Lordship, would prevent the correspondence more effectually then the dragoon lying at Hadingtown. If it be about Dumbar, Baillie Fall, I'm perswaded, [will] doe his duty : but all this I most humbly submite to your Lordship, and am, with the outmost sincerity,

Your Lordship's most humble and obedient servant,

BELHAVEN.

377. LETTER, without signature, to [JOHN SECOND EARL OF CROMARTIE].

London, 8 November 1715.

MY LORD,—Since your lordship is so oblidging as not only to ouen the receat of myn by yours of the last of October, but lykuays to doe me the honour to lett me know that uhat I wrot is agrieable to yow, I now again take the libertie to salute yow, and give your Lordship the best accounts I can of the present posture of our affairs, and of the neus as they ar passeing here.

By an express about a ueek agoe from the Earle Stairrs, he gave account that upon the certan information he had of the Pretender's haveing lef[t] Bar le duke and come the leanth of Chatau Thyrie in to France, he made application to the Regent, and told him that if the Pretender uas resett, abated, or asisted in France, it could not but be looked on as a breach of the peace

and good understandeing which was betuixt his master, the King of Brittan, and him.

The Regent seemed to be of the same sentiment, and imediatly ordered the Count de Contade to goe to that place and lett the Pretender know that if he did not imediatly leave the dominions of France, he had orders to convey him out of them by a partie.

This was looked on as verie good news by the Court and evrie bodie else that wished well to the government, and I amongst others wrot it down to all my friends. Butt by yesterday's express wee are certainly informed that he was gon before the Count came, and noe bodie now knowes where he is.

Last week too wee had good information that the Duke of Ormond had bin on the west coast with a ship in which there was considerable numbers of armes and amunition, and that he had sent to his friends, some of whom came aboard of him, and declared, since the seazeing of so manie persons of nott and distinction, the reaseing of so manie forces and cantoning them in the maner they were, so as to secure all the considerable sea port towns, there was noething to be don or expected in this countrie, upon which it is certain he went of. The winds have bin cross and the weather stormie ever since, so that wee doe not know what is become of him, or where he is. Some imagine he may be gon to the Pretender; and if things will not doe here, both may think, if they can, of shareing their fate with Mar and the rebeles in Scotland, to whose number, for what I see, they will not add manie more then they bring with them. Things are certainly verie well betuixt the Empreor, the Dutch, and us, so that the grand alyance stands good, and the Dutch troupes are now certainly at sea. If they be not, noething occasions it butt the cross uinde.

Your Lordship knowes the state of our affairs in Scotland better then I. It is certain that the firmity and good affection so manie persons of distinction have shuen for his Majestie and the protestant intrest deserved more care and

a better fate then wee have mett with. And [it] was to have bin wished wee had had more forces then wee have hitherto had, if the circumstances of this countrie, and ev'n the apearances in Irland, could have alowed of it. Your Lordship saw, when you was here, how much the thoughtlesnes of some ev'n of our ouen countrie men contributed to that slounes which has contributed so much to our ruine. You know how often they said it was noething, all was over ; that has bin repeated as often since as wee had good news, and as often have those whose care it ought to have bin to provid tymously for us, taken a handle from that to excuse what wee thought neglects, which, to tell your Lordship my opinion freely, have not bin so manie as is generally thought. It is true there is now such an armie in Britan as, I hope, putts us out of all feers in the main ; but it [is] as true it is butt a new reased on[e] that could neather march nor act till now. The fault lyes in want of lookeing to in tym. What is now hapned might well have bin foreseen in our countrie, which is the verie roote of this rebellion, near a twelve moneths agoe : but this is lookeing back. Wee are glade att last to hear the Irish troups are landed. Tho' neather they nor what wee had before are the numbers wee want, yett wee all know they are good, and hope att least they will not be insulted by the rebeles, whose numbers wee hear are mightily increased by the down coming of the clans, which, by their marches and maner of acteing in Argylshyre, seem to have taken verie odd measurs. If Mar continues to fortify Pearth, and lyes longer still, the Dutch troups, it is hoped, will come to finish this affair, which has gon too far already, to the utter ruine of that poore countrie in which my greatest concern is.

Your Lordship's old guests, the highlanders, with the border and Northumberland rebeles, after a train of as odd accidents and marches as has almost bin heard of, are att last come in to England, and by our last accounts are att Kendall tending to Lancashyre. Generall Wiles is in that countrie

with nyn regiments of foot and dragouns befor them; General Carpantar, after a day's rest att Newcastle, folous in their rier. As uee ar evrie moment expecteing to hear of them being disipatt, so uee hop, if they be, there uill be no longer cause to complain of uant of troup: there uill be abundance sent from this. My letters from Stirling Camp is of an old date. I knou little of friends there: they have my best and sinceerest good uishes. Your Lordship has a share of them. Adieu.

378. ALEXANDER GRANT OF GRANT to [JOHN SECOND EARL OF CROMARTIE].

Castle Grant, March the 13th, 1716.

MY LORD,—Nothing but being in a prodigious hurry when I was at Inverness could have hindred me from paying my respects to your Lordship: but since I had that misfortune then, I hope the next tym I come to the countrey I shall have the pleasure of paying that debt.

Ther's a gentlewoman, a relation of myn, married in your Lordship's neighborhood. I find she has the misfortune at present to be under the displeasure of her husband, the Laird of Ardross; whither that is to be entirely attributed to him, or that the young people have some litle share in it, the distance of our aboads forbids me to determine. I hear that in that family it's said she has no body to own her; but I perswade myself, after telling my concern, your Lordship, if I were not, will take pity on her, and at least advise them to doe her the justice her behavior has merited at their hands; els I will venture to ashure both the old gentleman and his soue and daughter that they shall find she has friends. I will meddle no farder in this affair till I have the honor of your comands, but beg leave to sign, my Lord,

Your Lordship's most obedient and faithfull humble servant,

A. GRANT.

379. JOHN FIRST DUKE OF ATHOLL to JOHN SECOND EARL OF CROMARTIE.

London, November 2d, 1717.

MY LORD,—My sister Lovatt having acquainted me of the agreeable news of your Lordship's marriage with my neice, this is heartily to wish you both much joy and happiness. And now since there is so near an alliance betwixt our families, your Lordship may depend on all the service that is in my power to do for you.

I have been so ill with sore eyes these several days that I have not been able to go out of my room; and tho I be somewhat better, yett am affraid that I must keep my room some days longer. This is the reason I do not write to your Lordship with my own hand, who am, my Lord,

Your Lordship's affectionat uncle and most faithfull humble servant,

ATHOLL.

The Princess is this evening, about 7 at night, delivered of a brave young Prince, and is as well as can be expected.

My Lord Ross, I suppose, will be at Edinburgh some of those days, in his way hither. If your Lordship pleases to discourse with his Lordship concerning a project of fishing, and give your opinion about it. I have discoursed with his Majesty about it, one day that I had the honour to dine with him, and of the great advantages [which] might redound by it to all Britain; and I found his Majesty (as he is in other things) is misinformed about it, and has been told that we can not cure our herring weel in Scotland. I should think it proper, if your Lordship has any understanding in this, either as to herrings or white fish, that there be proposals drawn up in writing to be sent up here; that, since we have an Union, we may make the best of it we can. And I know your Lordship may have great advantage by it, for I

know none in Scotland lyes so conveniently for that traide as your Lordship's interest does.

To the right honorable the Earle of Cromarty, Edinburgh.

380. JOHN FIRST DUKE OF ATHOLL to [JOHN SECOND EARL OF CROMARTIE].

Dunkeld, November 30th, 1720.

MY LORD,—I have the favour of your Lordship's letter of the 17th, in answer to two or three of mine that I had writt to your Lordship and my neice concerning my opinion as to Mr. Alexander M'Cleods being nam'd one of M'Cleod's curators. And tho your Lordship has given several reasons in that letter why you think him not fitt, I cannot but oun to you that it is still my opinion that M'Leod ought to name him one: for tho he should accept (which your Lordship thinks he will not, and in that case it lyes at his own door), I am convinced he would not desire to be concerned in taking in his brothers accounts; or if he should, he being but one of nine or ten, he could not influence others to shew any favour to his brother: and it would look very ill if one who is so nearly concerned in the ffamily should be left out in the nomination. And I am confident he would be very serviceable in all other things relating to the ffamily, excepting as to his brothers accounts, which, as I have said, I am perswaded he will not desire to medle in.

As for Glengary, when I was at Edinburgh I understood that your Lordship was clear that he should be one, and I hope your Lordship will still be perswaded that he will shew himself a freind to M'Leod's ffamily, as I have alwayes found him to mine. And notwithstanding of his age, I am perswaded he will be ready to come to this country when there is occasion for him, and the season of the year will allow. And having his interest lying nearest

M'Cleod's of any of the curators, he may be usfull and serviceable to M'Leod and his family on several occasions.

I shal add no more, since your Lordship wrytes me you are to aequainte me after M'Leod has advised with his freinds, before he proeed to ehosse his curators. I am, my Lord,

Your Lordship's affectionate unele and most humble servant,

ATHOLL.

My wife and I desire to give our affectionat humble service to my neice Cromarty.

381. LADY HELEN MACKENZIE, wife of SIR JOHN MACKENZIE OF COUL, to
[JOHN SECOND EARL OF CROMARTIE].

Coul, November 3d, 1721.

MY LORD,—Just now I reeeaved a letter from Mr. Collin, in which ther is a passage I know no present refuge I can run to, to get myself sheltered from the storm it threatens me with, but your Lordship's friendship to prevail with Easter Fearn not to treat me innoeently as ane enemy. I cannot say that the imployment he last undertook was very savory to me, nor can I brag much of his friendship to me whilst in it; and this my Lord Tarbatt and young Davaeh Muloaeh can witnes. But perhaps he went no further then his imployment oblidged him. The passage in Mr. Collin's letter is as follows :—

I was surprised very much to hear from one in the government that S[ir] J[oh]n was blamed for having ane hand in Easter's dissaster. I saw Easter's part of that affair that was sent to the court, where he mentioned only that the rebels that eame upon him were assisted by landed men, without telling who these landed men were : but it seems, in his letter to my

Lord Advocat, he particularises them, and among them condescends upon Sir John Mackenzie of Coul; which, if true, nothing can account for S[ir] J[ohn]'s folly: if false, as I hop it is, nothing could be more malicious. For whether true or false, the citation S[ir] J[ohn] is in will make every story of that kind pass current here, and be believed as soon as told; and therefore Sir J[ohn] ought to interceed with Easter, by his friends, to cause him write to his correspondents in the goverment that he knowes no accession S[ir] J[ohn] had to that affair. This is what Easter in justice owes to Sir John, if it be true that he has not heard that S[ir] J[ohn] had any hand in it. Nay, even telling in generall that ther were landed men assisting these men that gave him opposition in Straglass will be sufficieent to the goverment to conclude the Chisolm, Fairburn and Sir John quickly.

My Lord, here that paragraph ends. Your Lordship may be easily convinced how pernicious this may prove to me. Sir John, as he oft was oblidged to do, may run to ane hill side; but alas I'm not able to stir hardly out of my chamber, and such ane information as this is enough to get ane other garison planted here. What will Easter Fern be the better of this? His factory of this estate is over, and Collin factor; so that he has nothing to do with this estate. Had Sir John been the fool to have any hand in the opposition he mett with, I will not say but he would have reason to resent the loss and injury he receaved; but if for imaginations he will persecute innocence, he acts surely not as a good man or a man of conscience. And it is sufficiently known Sir John's unwildy body was not able to be there, and as little he knew of it, till it was told him by some person [who] had come from Michelmas mercat. And to satisfy Easter Fern, let him but send any minister of Ross-shire he pleases hither, and I will make Sir John tryst with him; and if he does not solemnly depone on the holy Bible that he had no hand in that affair, directly or indirectly, I shall not plead, or desire your Lordship to

plead, with Easter Fearn for him. So, my Lord, I hop, to prevent the dismall effects of this story, you will call without delay for Easter Fearn, and comune with him on this affair, and prevail with him to give a declaration under his hand that he has no point of accusation to give in against Sir John as to the opposition he mett with. But if he has done it allready, as Mr. Collin would insinuate, I know he'll be arch to give such ane absolute declaration: but he may declare that, being informed of Sir John's having ane hand in it, but finding the contrar, he does exculpate him of it freely. Sure if Easter Fearn has any conscience with him, he will yeeld to this, and the rather that your Lordship will be pressing with him upon it.

My Lord, if your Lordship came up to Strapepher, it would be a satisfaction to me to see you, and show you some more of this letter. Now that Mr. Collin is factor, he is something kinder then Easter Fearn; for since he is, by this letter, resolved to have me and mine out of this place, he advises (I believe your Lordship will be a little surprised att the proposition) that S[ir] J[ohn] should plead with your Lordship to let him have some part in Cogich, or with Collonell Mackenzie—some part in Assint to shelter himself and family in till the times are settled, for two or 3 years. The meeecke Deel's in the man, nothing will please him but to putt us all in the Tabeeth.

My Lord, I believe I need not press you to be earnest with Easter [Fear]n on this. If he does absolutely deny it, Sir John can find affidavitts [that] he was els where att that time, and phisitiaus' declarations [that] it was not possible he could be ther. I hop the subject matter will be a sufficient appology for the trouble of reading this long letter. I would gladly, if possible, have this declaration to send south by next week's post, and am allwayes, my Lord,

Your Lordship's most affectionate humble servant,

HELEN MACKENZIE.

382. ALEXANDER FOURTH LORD ELIBANK to [GEORGE LORD TARBAT, afterwards
THIRD EARL OF CROMARTIE].

Edinburgh, July 26th, 1722.

MY DEAR LORD,—Being just now in Edinburgh, I cannot send you the double of that letter, and the inventar of those papers, as I promised your Lordship in my last, they being at Balencriffie; but expecting to see you very soon here, you shall have them than. I am sorry to acquaint [you] that, after all the indeavours I have used, I find it intierly in vain ever to expect to get any thing done in your bussinesse without you are present yourselve; and therefor I intreat you to make all the haste up here you possibly can, for this seems to be the very criticall time for the preservation of your family, and for your own wellfare and settlement; and if this is slighted and neglected, I am affraid you will not have such ane opportunity again. There is a proposall made whereby you may have ten thousand pounds sterling, be sent abroad to travail, and maintained as a person of your quality and station in the world; but unlesse you come here yourselve, those to whom this is proposed will certainly stick and marr this proposall. This is all I am at freedom to write to you on this head. There is another proposall by a very sufficient person to ferm your whole estate,—the victuall rent at 5*l.* per boll, and the money rent, as it stands just now, set to the severall tennents, provided your father and you consent, and each of you take your separate parts and allowances of the estate, and a proportionall part be set aside, to be touched by neither of you, for extinguishing those debts that your grandfather left the estate burdened with. And the person who makes this offer being to go in twinty days from Edinburgh, you see this absolutely requires your presence. Now I know I need use no other arguments to perswade you to haste here, since your own interest and the preservation of your family intierly depend on it. Be sure

you bring up with you a full and compleat rentall of all your estate, both victuall and money rent, miln rents, salmond fishing, and kens, and every thing else. Expecting to see you here very soon, I am, my dear Lord,

Your Lordship's most affectionate uncle, and most obedient humble
servant,

ELIBANK.

P.S.—I hope you'll excuse my sending Pete[r]'s letter under your Lordship's cover, for I did not know where to direct to him. He will wait on you south, and I desire you may come strait to Balenerieffe. I offer my service to your brother Rorie, and all your other brothers and sisters.

383. CHARLES DELAFAYE, Secretary to the Lords Justices, to [JOHN SECOND
EARL OF CROMARTIE].

Whitehall, November 30th, 1723.

MY LORD,—The Lords Justices having received a representation of the commission of the General Assembly of the Church of Scotland, setting forth the restless endeavours of popish emissarys in perverting many to the errors and superstitions of the Church of Rome, and withdrawing them from their duty and allegiance to his Majesty, and the industry of others also who call themselves protestants to promote the interest of a popish Pretender, one great means of which is the erecting of meeting houses contrary to law in many places, wherein the preachers neither pray for his Majesty and the royal family, nor are qualified by taking the oaths to his Majesty which the law requires, their excellencys have commanded me to signify to your Lordship their directions that you be vigilant and exact in discharging the duty incumbent upon you, and the trust which the laws have reposed in your Lordship in respect of your office, for the punishing and preventing these

abuses which are of so evil and pernicious consequence to the establishd religion in that part of his Majesty's realm, and to the safety of his Majesty's person, the security of his government, and the peace and welfare of his subjects : and more particularly, that your Lordship be carefull and diligent to suppress popish schools and seminarys within your bounds ; to apprehend persons suspected to be trafficking priests or jesuits, and to require them to take the oath or formula prescribed by the act made in the year 1700 for preventing the growth of popery ; to commit them pursuant to law, in order to their tryal before the court of justiciary or circuit courts ; and when any of them are denounced fugitive or outlawed before the court of justiciary or circuit courts for not appearing, to apprehend and seize them, if found within your jurisdiction ; to see the Letters of Orders of preachers or pastors who hold meeting houses within your bounds duly recorded, as the law requires ; to call before you such of them as are not qualified in terms of law, and upon conviction, to shut up their meeting houses as the law directs ; and in case of obstinacy, to apply the penalty of six months imprisonment. All which you are required punctually and strictly to perform, as you will answer the contrary. I am, my Lord,

Your Lordship's most obedient humble servant,

CH. DELAFAYE.

384. SIR WILLIAM GORDON OF INVERGORDON, Baronet, to [JOHN SECOND EARL OF CROMARTIE].

Edinburgh, 25 June 1724.

MY LORD,—My Lord Tarbat will acquaint your Lordship by this post that he is now a bridegroom. Your Lordship has so often and lately expressed your desire and inclination, and in the most obligeing manner, in favor of

his alliance with me as must lay me under the strongest obligations to consult the honor and prosperity of your family.

No arguments were necessary to induce me to go as far in money as my circumstances could at present allow me in favor of the young lord, of whom I have very great expectation, and for whom personally I have the highest honor and esteem. The disposition which your Lordship has had the goodness so often to express in his favor, and your family, give me a very hopeful prospect of success to the endeavors which shall be us'd for retrieving the present weights and intricacies under which it labors. In my daughter I have given your family the most valuable pledge of friendship I was capable off; and as I have no doubt the happiness of the young folks will be very compleat, your Lordship will find that I will render you my outmost assistance in every step that can tend to the welfare and prosperity of your family. My wife and the bride join me in the tender of their most humble duty to my Lady, your Lordship, and all the family. I ever am,

Your Lordship's most faithfull and most obedient servant,

WILL GORDON.

385. ALEXANDER FOURTH LORD ELIBANK to GEORGE LORD TARBAT, afterwards
THIRD EARL OF CROMARTIE.

Balencriffie, 15th June 1726.

MY LORD,—I received your Lordship's, dated in May, some time ago; and I this day received your other letter, dated the 10th instant, with the melancholy account of your sister Mary's death, which indeed is a very great losse. Since I received your first, the truth is, I have not yet had an opportunity to speak to Bailly Fall, but I know that, at your brother's entry to him, there must be £100 sterling payed down with him as prentice fee.

So when your Lordship once determines to have that money ready at Edinburgh on demand, I shall talk to Mr. Fall about him ; for it is needles to speak to him before that is agreed on. Your brother, Mr. William, is just now here, but it is impossible he can see anybody till once you order mournings to him for his sister ; for all my family are in mourning for her. My wife and I offer our most humble duty to my Lady Tarbat, my Lady Gordon, and Mrs. Anne : and I am, with great sincerity, my Lord,

Your Lordship's most affectionate uncle and most obedient humble servant,

ELIBANK.

To the right honorable my Lord Tarbat, at Inver Gordon.

386. JOHN FOURTH MARQUIS OF TWEEDDALE to JOHN SECOND EARL OF
CROMARTIE.

Yester, September the 1st, 1727.

MY LORD,

Having had the honnour to be one of the number who did represent the Peers of Scotland in the last Parliament, and having a design to offer my service again att the ensuing election, will, I hope, plead my excuse for giving your Lordship this trouble, which is, to beg the favour of your vote and interest ; in which, if I have the happiness to succeed, you'll do me the justice to believe none shall more willingly embrace every opportunity of acknowledging thatt honnour then myself, who am, with much esteem,

My Lord,

Your Lordship's most obedient humble servant,

TWEEDDALE.

Earle of Cromarty.

387. SIR JAMES MACKENZIE, LORD ROYSTON, to his Nephew, GEORGE LORD
TARBAT, afterwards THIRD EARL OF CROMARTIE.

Edinburgh, 5 March 1731.

MY LORD,—I am justly much affected with my dear brother's death. His vigour promised a much longer life, but the distemper which caried him off comonly attacks the strongest.

As for the question in which your Lordship is pleased to ask my opinione, whether your son should be designed Tarbat or Macloed, upon your grandfather's death I was of opinione the title of Tarbat was best, because it is the originall title of the familie, by which it was longest known, and to which that of Viscount is anexed. On the other hand, as your Lordship justlie notices, since you are the representative of Macleod of Lewis, an honorable and antient familie, and certainly the chief of that clann, it is full as honorable to keep that title as that which is but a cadet of another familie. So your Lordship may well use either—both being in the patent of honor. I am, with great affection, my Lord,

Your Lordship's most humble servant and uncle,

J^A. MACKENZIE.

To the right honourable my Lord Tarbat, Dingwall.

To the care of the Laird of Tulloch.

388. GEORGE THIRD EARL OF CROMARTIE to [JOHN MACKENZIE of Meddat.]

Edinburgh, 30th June 1737.

SIR,—Kilcoy wrote to me last week that some people from Glenmore had come over to the forest of Fanich and drove away 4 or 500 deer into the

forest of Freivater. I advis'd it here, and in consequence of that, by last post, send Kilcoy directions, which was, that he should apply to the sheriff of Ross for a warrand to seise the people concern'd in the theft; and also that the sherife should order the deer to be return'd. I'm surprys'd how such a thing should happen. I saw the Master of Ross t'other day, and when I told him of it, he was much surprys'd and concern'd that such a thing should be don. He is to write by this post to Mr. Baillie, to desire him to finde out the people, that they may be punish'd as such a crime deserves. And as Mr. Ross and I are in strict friendship, and as I am convinc'd there could be no orders for doing such an act of violence, we are both agreed that the best way to put a stop to such actings is to have those severly punished that take upon themselves to committ such outrages. So you'll meet with Mr. Baillie on this affair, and acquaint Kilcoy that the Master of Ross has sent orders to his doer to concurr with him in having these people detected, that they may undergo the law.

Acquaint Corry that I am taking all the care I can of him in the admirall court. There are havie compliments made of him, which, if they are true, will go very hard with him. They lybell no less then £1000 sterling for damages. I do't know what will come of it.

When there are as maney stones as will finish the summerhouse and the wall, let the rest be laid to the brea head above the cowfold, and all along to the firr bank, and keep the stone boat bussy, for I will need more stones then they will be able to carry in five seasons. Mr. Dallas' delays in my exoneration is intollerable.

I am your assured friend,

CROMERTIE.

389. PATRICK FIFTH LORD ELIBANK to [GEORGE THIRD EARL OF CROMARTIE].

London, December 23d, 1739.

MY DEAR LORD,—I think it my duty to give you some information about what you will think concerns you much.

My Lord Illay, with whom I have had very little communication of late, took an opportunity and made a most grievous complaint to me of your Lordship. I think his words were, “I had a most extraordinary letter t’other day “from your friend Lord Cromertie. He writes me that truly unless I procure “him a discharge of the few duties in Ross for which he is summoned to account “by the Exchequier, he desires to give up his pension. Why, is the man mad? “What if I should take him at his word,” etc., with much to this purpose. I told my Lord that I had not had much correspondence with your Lordship of late, and declined undertaking to advise your Lordship in a thing of that consequence, where you must be the only judge : and so we parted. But give me leave to assure you that now is the time for you to insist on what you want. They may give themselves airs, but they cannot do without you, and you may make your own terms. I understand his Lordship wants to gull you by promises and fair words, and by procuring you a sist from the Exchequier. If this contents you, you will be the dupe, and when the elections are over, and they have no further use for you, the thing will fall on you with double force. Give me leave, too, to put you in mind that, even when they grant you what you want, they have you cheaper than any body of your interest. And indeed it will be your own fault if you submit to this; and if you do, no body will pity you, whatever may be the consequences. You know that I have a double interest in this affair as your friend and cautioner; but be assured it is the

first of these characters that determines me to give you this hint: for whatever I may seem in business, you shall ever find me, with truth and esteem, my dear Lord,

Your most obedient slave and affectionat cousin,

ELIBANK.

Why have you not applied for a commission for Lord M^cCleod? or if you have, why has it been refused you?

I offer my compliments to my Lady. My address is at the Smirna Coffee House.

390. CHARLES GORDON, son of Sir William Gordon, Baronet, to his brother-in-law [GEORGE THIRD EARL OF CROMARTIE].

London, January the 2d, 174 $\frac{1}{2}$.

MY LORD,—The sudden and melancholy accounts of my father's illness will lessen your surprise in hearing that I am now at London, where I am greatly apprehensive I shall not long remain in an attendance upon him. His symptoms are very dangerous, his cough violent to the greatest degree; no rest without the aid of opium, and his legs twice their usual size; and his phisycians say that, tho' he may survive for some months, yet his death in 48 hours would give them no surprise. And this blow of Providence at a time his steady behaviour in the house in going to the Westminster election, supported by Macleod and Mr. Edwin, the present member, has gaind him the universal applause of all London; so that, next to Vernon, Sir William's health is both the city and Westminster toast,—a conduct which, considering the turn that politicks must now inevitably take, would be equally for the

interest of his family and friends. I offer my kind and best compliments to Lady Cromertie and Lady Bell, and am, my dear Lord,

Your most affectionate and obedient servant,

CH. GORDON.

Neither Lady Ann, Mr. Rory, or Peter, have so much as once call'd or sent to enquire about him.

391. LEONARD URQUHART, Writer, Edinburgh, to [GEORGE THIRD EARL OF CROMARTIE].

Edinburgh, 7th January 1742.

MY LORD,—When I had the honour to write to you some weeks ago, I sent your summons against John MackBean's representatives and cautioners to John Dunbar, a messenger at Inverness, but he has not yet return'd it executed to me : and I, at the same time, promis'd that a summons against Bourmaden should soon be sent you ; but as I never got any materials to draw it from, I could not send any. I understand Mr. Baillie is to undertake the mannagment of that affair ; so that I did not enquire further about it.

The chief design of my writing you now, is to give your Lordship an account of the melancholly and hopeless case Sir William Gordon is in, that you may, in your own prudent way, communicat it or not as you please to my Lady, who cannot fail to be affected with it, but much more at its consequences.

In short, he is so far gone with an asthma, a cough, and swelling in his belly and legs, that his phisicians have given over any hopes of recovery, and think he cannot live many weeks. His son, Mr. Charles, is gone up to him, and writes that his condition is so very doubtfull that it is impossible

he can leave him, tho' he thought to have done so ere it was known that he was there; and that he has reason to suspect a sudden death. This is a piece of disagreeable news, but it is what I thought myself bound in duty to inform your Lordship of. God grant that I may soon have better accounts to give of him.

My lord McLeod and the young ladies are well. I beg leave, with my wife, to offer our complements to my Lady Cromarty, your Lordship, and Lady Bell; and wishing all the family a good new year, I am, my Lord,

Your Lordship's much obliged and most obedient servant,

LEONARD URQUHART.

Inclosed is a copy of a letter from John Garden I this day received.

392. WILLIAM TWENTIETH EARL OF SUTHERLAND to [SIR JOHN COPE].¹

Edinburgh, March the 24th 174 $\frac{3}{4}$.

SIR,—At this critical conjuncture when his Majesty, our present happy establishment, and all that can be dear to any Briton, has been threaten'd with an invasion, it becomes all his Majesty's subjects to exert themselves for his service. And as I have no small interest in that part of the island where possibly disorders might be endeavour'd to be rais'd, in case any such desperate attempt shou'd be hereafter carried on, I took the liberty, some time ago, to represent that tho' I was able to bring a considerable body of men into the field, if his Majesty's service shou'd require it, yet the country having been disarm'd, and those who are suppos'd to be disaffected in the Highlands being generally very well arm'd, the numbers of men that I might have it in my pow'r to assemble cou'd be of very little use, and must ev'n

¹ Original Letter at Yester.

become a prey to the enemies of the government, unless arms be put into their hands. And I then mention'd that, upon an emergency, I hop'd I shou'd be able to bring five hundred men immediately together, who might be employ'd as his Majesty shou'd think proper. I have since that time been enquiring how many men can be brought out of the shire of Sutherland by the sheriff, or more properly by a lord lieutenant, when such officer shall be appointed by his Majesty; and as near as I can judge, the number may amount to eighteen hundred. But beside the interest I have in that county, I am pretty well assur'd that from the neighbouring county of Caithness, in defence of his Majesty and his royal family, I might depend upon four hundred effective men of the name of Sutherland, who wou'd follow me as their chief. But, sir, two things appear to me to be wanting; first, that a lord lieutenant shou'd be nam'd, since he is the proper officer under the crown to assemble the militia of the country; and, in the next place, that arms be provided to be distributed. This I have taken the freedom to mention to you now, as the person chiefly entrusted by his Majesty in all military matters in this part of Great Britain, that you may give such directions and do therein as to you shall seem the most proper for the support of his Majesty's crown, and the defence of the country and its liberty. As to the number of arms necessary to be put into the hands of his Majesty's faithfull subjects in Sutherland, and those of Caithness who wou'd follow me as their leader, I shall not presume, after having laid the circumstances before you, to mention precisely what wou'd be requisite at this juncture; but I believe a thousand arms wou'd be very well plac'd for his Majesty's service among my friends, beside what they have already; which, indeed, are but very few. If that number shou'd be thought too great to be giv'n immediately, I submit it to your consideration how many may be proper at present for that service. Sir, as zeal for his Majesty's service and government is the motive that

prompts me to write this letter, I am persuaded you'll pardon the trouble I give you : and I beg that you'll believe I shall be ready on all occasions to show that I am, with the greatest esteem, sir,

Your most obedient and most humble servant,

SUTHERLAND.

393. DUNCAN FORBES of Culloden, Lord President of the Court of Session, to
GEORGE THIRD EARL OF CROMARTIE.¹

Culloden, 23d September 1745.

MY LORD,—His Majestie haveing been pleased to entrust me with the disposall of commissions for some independant companys now to be rais'd, Sir John Gordon, who was occasionally at this place, undertook to let me know from your Lordship whether you would permitt my Lord MacLeod to accept of a captain's commission, and how the young man would like it. Sir John has acquainted me that he saw my Lord MacLeod, but had not access to see your Lordship, as you was not at home ; that the young man expressed his willingness, and that he believed your Lordship would fall in with his inclinations ; tho', as he had not seen you, he could not give your own answer. What, therefor, brings your Lordship this trouble, is, to have your consent to your son's accepting this commission, which may be an introduction to what he promises one day to deserve : because, however willing he may be to be in the army, and however desirous I may be to gratify him in what I hope will turn out for his advantage, yet, without your Lordship's approbation, I would not presume to conclude any thing in a matter wherein you are so nearly concerned. I am, with great respect, my Lord,

Your Lordship's most obedient and most humble servant, etc.

¹ From Culloden Papers, p. 411.

394. THE SAME to [THE SAME].

Culloden, 25th September 1745.

MY LORD,—I have the honour of your Lordship's of yesterday's date. As neither your Lordship nor my Lord Macleod dislike the commission that is proposed, I must confess it gives me very great uneasiness to find that the circumstances your Lordship mentions occasions any deliberation. Your Lordship will readily agree with me, that in the execution of the trust committed to me, my chief regard must be to the service; and if what that requires, in circumstantiall matters only, should give your Lordship offence, or create in you a diffidence of my respect for your Lordship, it would be to me a very great mortification. I hope your Lordship will not think so harshly of me; and that, upon considerations such as you mention, you will not suffer an opportunity to slip of introducing the young lord into a state of life which he seems desirous to pursue—especially at a conjuncture where the nature of the service seems to require that men so well disposed as your Lordship should not stand upon ceremonys. Let me therfor beg of your Lordship to consider well what is to be done, and to give your consent to your son's accepting the commission; and I dare assure you that you and he will find that I am very sincerely, my Lord,

Your Lordship's most obedient and most humble servant,

DUN. FORBES.

395. GEORGE THIRD EARL OF CROMARTIE to DUNCAN FORBES of Culloden,
Lord President of the Court of Session.¹

Tarbat House, 26th September 1745.

MY LORD,—I have the honour of your lordship's of the 25th. I cannot

¹ From Culloden Papers, p. 415.

help thinking that the circumstances in that commission that is proposed for my son are so singular, that I cannot desire him, nor is it in his own inclination, to accept of it on these terms, as it disables him from doing the service as he would wish; and if he is thought less capable than others who are offered greater priviledges, it is no less to lay him aside. But he will very soon have the honour of waiting of your Lordship to returne you his hearty thanks for your kindness; and I am, with great regard, my lord,

Your Lordship's most obedient most humble servant,

CROMERTIE.

396. WILLIAM MARQUIS OF TULLIBARDINE, signing "ATHOLL," to [GEORGE THIRD EARL OF CROMARTIE].

Blair Castle, 28 September 1745.

MY LORD,—Being perswaded of your Lordships inclinations to serve the King for the delivery of your country from oppression, his Royal Highness having constituted me commander in chief of his Majesty's forces benorth the river of Forth, I cannot but hereby desire your Lordship may raise all your men in arms, and with the outmost expedition march them with me to join his Royal Highness.

I hope your Lordship will without delay appoint your men, with such officers as you think proper, and direct them to set out soon; and as doubtless you are inform'd of his Highness's complete victory, your Lordship will also encourage your neighbours quickly to second his glorious undertaking.

Pray let me have your return as soon as possible, that I may acquaint his Royal Highness of your Lordship's resolution, who expects you are ready to show your loyalty on so happy an occasion.

I beg your Lordship will excuse the not writing with mine own hand, having really so much adoe as renders it almost impossible. I am, my Lord,

Your Lordship's most obedient and most humble servant,

ATHOLL.

397. GEORGE THIRD EARL OF CROMARTIE to DUNCAN FORBES of Culloden,
Lord President of the Court of Session.¹

Tarbat, 19th October 1745.

MY LORD,—When I saw your lordship last at Culodden, we then concerted that I should look out for some men, to have them in raddiness when there might be occasion for them. In consequence of which, I spoke to several of my friends to know what I might expect from them; and to others at a distance I wrote, and us'd such arguments as I thought might be most apt to exceeet them to come into measures. I am sorry to hear that I am misrepresented; and that my endeavours, when I meant them for the best, are misconstrued by some; tho' I hope your Lordship, who know my sentiments of these matters, will give no credite to any idle storys. On the contrary, I would expect you wou'd contradict them, and take my parte against any that, out of ill will, endeavour to assperce me. But I believe there is none at this time free of being, in some shape or other, misrepresented: I must take my share in a generall calamity. When I see your Lordship I will tell you a great deall more of this then I can trouble you with in a letter. In the mean time, I beg leave, in this way, to assure you that I am, with great truth, my Lord,

Your Lordship's most obedient and most humble servant,

CROMERTIE.

¹ From Culloden Papers, p. 232.

398. DUNCAN FORBES of Culloden, Lord President of the Court of Session,
to [GEORGE THIRD EARL OF CROMARTIE].¹

Culloden, October 21, 1745.

MY LORD,—The letter which your Lordship did me the honour to write of the 19th was delivered to me yesterday by Andrew Monro. It came to me seasonably to relieve me from abundance of uneasiness, occasioned by very many reports to your lordship's prejudice; to which nevertheless I could not give credite, as they were flatly contradictory to the hearty declarations of your zeal for his Majestie's service which your Lordship made to me when I last had the honour to see you at this place. But as nothing is more possible, than that the very steps taken by your Lordship to forward the intention which you declared to me might, in this age of rumors and suspitions, be construed by those who dislike the government into so many evidences of your purpose of siding with them; and as your lordship has again assured me that your disposition is and has been the same as you formerly declared to me, I dismiss all doubts, and leave those idle reports to be entertainment for those that made them. And I'm very hopefull that if any such reports have found their way southward (which I assure your lordship they have not from me, or by my means), what I from your Lordship's declarations can say, together with your future conduct dureing these commotions—which I pray God and hope may be soon over—will be effectually to dissipate all surmises that have hitherto prevail'd amongst the makers and retailers of news in this country. I am, with great respect, my Lord,

Your Lordship's most obedient and most humble servant, etc.

¹ From Culloden Papers, p. 235.

399. LORD JOHN DRUMMOND, second son of James Lord Drummond, who was eldest son of James first Duke of Perth, to [GEORGE THIRD EARL OF CROMARTIE].

Drummond, 31 December [1745].

MY LORD,—If your Lordship is not yet comed back to Perth, the prince's orders ar that you should send imediatly, strait from Fife, the picquet of 30 men of Irish and a Royal Scot[c]h that you have under your comand, to Dumb[l]ain. I think it is very esential, the moment that you have ended your business in Fife, that your Lordship should comme to Dumb[l]ain, wher my brother and I will be ; when I will have a good many things to say to you, who am, with great valeu and esteem, my Lord,

Your Lordship's most humble and obedient servant,

J. DRUMMOND.

The Prince intends imediatly to comme to Stirling, and to make the seige of the castle himself.

400. LORD GEORGE MURRAY, fifth son of John first Duke of Athole, to
THE SAME.

Aberdeen, February 10th, 1746.

YOUR Lordship is to march to-morrow morning at the same time with the rest of the foot ; and at going out of this town you seperate from Lord John Drummond's battalion and the piquetts of the Irish brigade, taking the road to Old Meldrum, where you are to quarter all night. Your lordship has with you, besides those belonging to your own brigade, Glenbucket's battalion,

and any other Highlanders who have been left behind. Glenbucket's battalion has the van to-morrow, and your lordship will appoint the different order the others are to march in. Next day you are to march early in the morning for Strathbogie, where I shall meet you. I pray your lordship cause all the men in your division march close together, and not to straggle; and, if you please, be in the front yourself, and your son in the rear: but, from time to time, go from front to rear to see all come up in good order in their march.

GEORGE MURRAY.

To the right honorable the Earl of Cromarty.

401. THE SAME to THE SAME.

Dingwall, 25th February 1746.

MY LORD,—I was marching with all the expedition in my power, by his Royal Highness's comands, to have joind your Lordship; but about one a'clock I mett your express with the letter to his Highness's secretarry, which I opend, and found by it that the enemy were retyrd to Sutherland. It was great pittty I did not know it soonner, for the men that I had with me last night at this place have had a sevear day's march. Your Lordship knows his Royal Highness did not think it a proper time to follow the enemy to Sutherland; and as the flower of the armie were in this country it would have been dangerous to have kept them at so remott a place as Tayine on[e] night, except the service absolutly requierd it, for they could scarce [have] been back at Inverness in time had the enemy march'd thro' Atholl.

As Colonel Carr tells me your Lordship would wish to have some other people besides your own, in order to inable you to send in meall and raise contributions, I have left the Steuarts of Appine at Fowlis, and the Macgregors

are to be at this place to receive your Lordship's orders ; and if his Highness aproves of it, they may remain till your Lordship think they can return.

I offer my compliments to the countess and familie, and have the honour to be, my Lord,

Your Lordship's most obedient humble servant,

GEORGE MURRAY.

To the right honorable the Earle of Cromarty.

402. THE SAME to THE SAME.

Dingwall, 26th February, 1746, 7 in the morning.

MY LORD,—I receivd your letter last night, and your Lordship will see, by what I wrote, that I have left near 300 good men, instead of 200 you thought sufficient,—and this besides the Mackenzies. I would have some two or three chalder of meall in the house of Foulis ; and if Lord Loudon, with his whole forse should repass the water, if your Lordship do not think yourself strong enough to fight him, you and all the party you have can retyre to Foulis, till such time as such a detachment were sent from Inverness as could cutt him off. Your Lordship should establish good intelegince ; and as the country people will give frequent alarms, on purpose to get you out of the country, your Lordship will see and judge how far they will be well founded.

I see'd a boat near Foulis, which your Lordship should secure as the easyest way to convoy intelegince back and fore to Inverness : but any thing of great moment your Lordship should send both ways. I am, my Lord,

Your Lordship's most obedient humble servant,

GEORGE MURRAY.

To the right honorable the Earle of Cromerty.

403. COLONEL JOHN O'SULIVAN, Adjutant-General in Scotland to Prince Charles Edward, to THE SAME.

Invernesse, 27th February 1746.

MY LORD,—His Royal Highness orders me to inform your Lordship that he has an account that the enemy is in march towards Aberdeen, and that his intention is, if those news be confirmed, to march towards them with the whole army. In consequence, he desires you'll keep your brigade in readinesse to march at an hour's warning, and to give the same notice to the different regiments that are under your orders, and in your neighbourhood. I have the honour to be, my Lord, with respect,

Your Lordship's most humble and most obedient servant,

J. O'SULIVAN.

To the right honourable the Earl of Cromartie, at Dingwall or Foulis.

404. SIR THOMAS SHERIDAN,¹ attending Prince Charles Edward, to THE SAME.

Inverness, February the 28, 1746.

MY LORD,—His Royal Highness orders me to acquaint your Lordship that Rosse of Pitcarney has undertaken to raise a good number of his own men for the King's service; but for the better effectuating of this he stands in need of a party from the corps under your Lordship's command to support him. The Prince therefore desires you wou'd do what you can to assist him, and let Glanguile have the command of the men you send for that

¹ Sir Thomas Sheridan was descended from an ancient Irish family, and appears to have been the son of the Honourable Thomas Sheridan, Secretary of State in Ireland under

King James the Second. Sir Thomas was appointed Governor to Prince Charles Edward. He is represented as a man of high literary culture.

purpose. Whither fifty or a hundred be necessary, his Highness leaves it to you and Glanguile to consider, as well as other circumstances that may occur. He only recommends it to you to do all in your power to forward the undertaking. I have the honour to be, with all respect, my Lord,

Your Lordship's most humble and most obedient servant,

THO. SHERIDAN.

To the right honorable the Earl of Cromarty.

405. THE SAME to THE SAME.

Inverness, March the 1st [1746], nine in the morning.

MY LORD,—I have just now received your Lordship's letter to Mr. Murray, and in his absence opened and communicated it [to] his Royal Highness, who orders me to tell you that, in the present circumstances, he thinks it no ways adviseable to send any more forces in quest of Loudun, who upon the least intelligence of it would not fail to repass the water again, and thereby harass and divide our army. All that his Royal Highness expects of you is that you should be upon your guard and keep a good look out for intelligence, and, if you learn any thing material, acquaint his Royal Highness immediately with it. If you find it absolutely necessary to retreat, the Prince leaves it to your own discretion. The Phrasers are near you at Buley or thereabouts, and you have Glanguile and his people with you.

I have the honour to be, with all possible respect, my lord,

Your Lordship's most humble and most obedient servant,

THO. SHERIDAN.

To the right honorable the Earl of Cromarty.

406. THE SAME to THE SAME.

Inverness, March the 1st, 1746, five in the evening.

MY LORD,—I had the honour this morning to send your Lordship an answer to your first letter between nine and ten, which was within an hour after I received it. In answer to your second, his Royal Highness now orders me to tell you that he has order'd the reinforcement you desire to march at break of day to join you ; so that he hopes they will be with you at Kinkell by the time you desire. I have the honour to be, with all respect, my Lord,

Your Lordship's most humble and most obedient servant,

THO. SHERIDAN.

To the right honorable the Earl of Cromartie.

407. COLONEL JOHN O'SULIVAN to THE SAME.

Invernesse, this 1st March 1746.

MY LORD,—His Royal Highness has given his orders to Glengary's, Clanranold's, Appen's, Barostel's, and Fraisser's regiments to joyn your Lordship at Kenkell ere eight o'clock tomorrow morning ; so that I expect you'll find yourself in a condition to face the enemy. He has likewise orderd Mr. Candelan lieutenant-colonel in the Spanish service, Mr. Creagh of the same service, Mr. Bourk, Mr. Nemaragh and Mr. Swiny, Frinch officers, to joyn your Lordship. They'l serve you as aide de camps ; and in case of an action, they can be very usfull, one at the head of each corp. Captain Burk, who is the Prince's aide de camp, can bring him an account of what passes when

your Lordship will have any news to send to his Royal Highness. I have the honor to be, with respect, my Lord,

Your Lordship's most humble and most obedient servant,

J. O'SULIVAN.

To the right honorable the Earl of Cromartie, at Kenkell.

408. THE SAME to THE SAME.

Invernesse, 2d March 1746.

MY LORD,—I wou'd have sent, as your Lordship [desired], the 100 stand of armes by the troops that parted this morning, but do assure you there are not two in order or condition to be made use of. We'l get guns smiths to work tomorrow to get as many as possibly we can in order, and I'l take care that the quantity you desire shou'd be kept for you. I am

Your Lordship's most humble and obedient servant,

J. O'SULIVAN.

To the right honorable the Earl of Cromartie, at Kenkell.

409. THE SAME to THE SAME.

Invernesse, 2d March 1746.

MY LORD,—His Royal Highness, being informed that Lord Loudon's troops are repast the ferry and gone back to the contry of Sutherland, orders me to let your lordship know that his intentions is, if those news be true, that Glengary's, Clanranold's, and Appen's regiments shou'd quarter as near as

possibly they can from Kenkell to Ferntosh and thereabouts, so that they may be ready to assemble at the least alarm. Your lordship will be pleas'd to send them those orders, and to inform his Royal Highness of the intelligence you have of the enemy, and the names of the quarters that the different regiments occupies. I have the honour to be, with respect,

Your lordship's most humble and most obedient servant,

J. O'SULIVAN.

To the right honorable the Earl of Cromertie, commanding the troops of his Royal Highness, near Kenkell.

410. SIR THOMAS SHERIDAN to THE SAME.

Inverness, March the 2d, 1746, six in the evening.

MY LORD,—Mr. Carr was dispatch'd towards your lordship some hours ago ; but it having been reported here since, that Loudun was again returned into Southerland, his Royal Highness is impatient to know the truth of it as soon as possible, and therefore sends you this by a foot messenger, who, it is thought, may come to reach your lordship sooner than one on horseback. If your lordship has not yet had the pleasure of hearing it, I shall have the honour to acquaint you that Fort Augustus surrender'd this morning,—the garrison being to remain prisoners of war. I have the honour to be, with all possible respect, my lord,

Your lordship's most humble and most obedient servant,

THO. SHERIDAN.

To the right honorable the Earl of Cromartie.

411. THE SAME to THE SAME.

Inverness, March the 3d, 1746.

MY LORD,—His Royal Highness commands me to let you know that he woud have you send hither, without loss of time, as much meal as you can possibly gather in the country where you [are]. This he recommends to you as a most important thing for his service. I have the honour to be, with all imaginable respect, my lord,

Your lordship's most humble and most obedient servant,

THO. SHERIDAN.

To the right honorable the Earl of Cromartie.

412. THE SAME to THE SAME.

Inverness, March the 3d, 1746.

MY LORD,—I have received the honour of your lordship's [letter], with one inclosed for his Royal Highness, who, in the present situation of affairs, do's not think it advisable to have such a body of men, as wou'd be necessary at Tain, remain at so great a distance. He therefore desires you wou'd remain at Dingwell, and from thence send out partys to raise men and bring in all the meal that can be got: and your lordship, with the troops, be ready at an hour's warning to come and join him. If you will send some of your men hither, of those that want arms, he will deliver arms to them. As to the naming of officers to the men you raise, there can be no difficulty in it. His Royal Highness has always left that power to those who raised any men; and your lordship may be sure he never intended to deprive you of it. All that

is to be observed is, that each company is to consist of three officers and fifty men. I have the honour to be, with all respect, my lord,

Your lordship's most humble and most obedient servant,

THO. SHERIDAN.

To the right honourable the Earl of Cromartie.

413. COLONEL JOHN O'SULIVAN to THE SAME.

Inverness, 3d March 1746.

MY LORD,—The desir I have to do any thing that may be agreeable to you and for the good of the service, I have ingaged lord Louis Dromond to se[n]de me a hundred stand of armes, which I'l reserve for your lordship's men. So when you think it proper to send for them, they'l be ready; but the sooner the better.

I gave an account to his Royal Highness of the contence of your lettre, and refer your lordship to Sir Thomas Sheridan's lettre in regard of the provisions, etc.

I have the honour to be, my lord,

Your lordship's most humble and most obedient servant,

J. O'SULIVAN.

To the right honorable the Earl of Cromertie commanding his

Royal Highness's forces at Dingwall.

414. SIR THOMAS SHERIDAN, attending Prince Charles Edward, to
THE SAME.

Inverness, March the 4th, 1746.

MY LORD,—His Royal Highness, who is just gon towards Elgin, desires you woud send hither Mr. Burgh, his aid de camp, as soon as you can. We

have nothing new here, but that a little French ship, which has been for some time hovering upon the coast, is stranded, by which we have got fifty soldiers which she had on board, with five hundred arms, and the ship's crew, consisting of one hundred and ten men. These may be useful on different occasions. I have the honour to be, with all respect, my lord,

Your lordship's most humble and most obedient servant,

THO. SHERIDAN.

To the right honorable the Earl of Cromartie.

415. COLONEL JOHN O'SULIVAN, to [THE SAME].

Invernesse, 6th March 1746.

MY LORD,—His Royal Highness has order'd Captain Stack to go and passe the troops that your Lordship commands in review, and desires you may send orders, in consequence, to the different regiments to assemble, after to-morrow, in the most convenient place of the quarters they are in. If your lordship thought it proper, I believe it wou'd not be amisse to be present. The troops are to be payed according to Captain Stack's muster, and is forbid to passe only the present and effective. Your Lordship's presence will hinder certain abuses which his Royal Highness is informed are only too frequent. According to your lordship's last lettre, I caused to be delivered to the bearer of it 108 guns, and as many bayonets. As soon as the others are mended you shall be informed of it, and [I] will do all that lyes in me to reserve you the number you desire. In the mean while, I have the honor to be, my Lord,

Your Lordship's most humble and obedient servant,

J. O'SULIVAN.

We expect his Royal Highness here to-morrow night.

416. SIR THOMAS SHERIDAN to THE SAME.

Inverness, March the 6th, 1746.

MY LORD,—I have just now received the honour of your Lordship's, in answer to my last, which I am glad to find arrived so seasonably. I heartily wish some French may land, so as to take Loudun in the rear. The dispersing that body wou'd be of singular service. As your lordship's letter was deliver'd to me just as I was ready to seal up one of my own to the Prince, I inclosed it under the same cover. I have just now spoke to Mr. Sullivan for arms for the men your lordship intends to send hither. He tells me he has already delivered 108 on your Lordship's order, and that there are no more ready at present. There are several in the gunsmiths' hands, and as soon as they are mended they shall be given to your Lordship's men. I have the honour to be, with all possible respect, my Lord,

Your Lordship's most humble and most obedient servant,

THO. SHERIDAN.

To the right honourable the Earl of Cromartie.

417. PASS and PROTECTION from GEORGE THIRD EARL OF CROMARTIE, in favour of the Heritors, Farmers, etc. of Ross-shire.¹

By George Earl of Cromertie, commander in chief of his Royall Highness Charles Prince of Wales's army, north of the river Buley.

These are requiring all officers of his Royall Highnesses army, and all others whome it concerns, to allow all and sundry the heritors, tenants,

¹ From Culloden Papers, p. 273.

and possessors of the shire of Ross that are employ'd in carrying their farm meal, to pass to and return from Inverness to their respective homes, without any molestation to themselves, servants, horses, etc., hereby certifying that such as countervene these, or give them disturbance of any kind, shall be highly culpable, and punish'd accordingly. Given at Dingwell, this 7th of March 1746.

CROMERTIE.

418. SIR THOMAS SHERIDAN to GEORGE THIRD EARL OF CROMARTIE.

Inverness, March the 11th, 1746.

MY LORD,—I am informed that there is one Rory Mackenzy, a Presbyterian minister, going into Ross. I cou'd wish your lordship woud order a strict eye to be had upon him, and have him narrowly searched, and then well watched, that he does not make his way towards Loudun. I begg of your lordship to give what orders you think proper about it, without communicating to any body the information given you by one who is, with the greatest respect, my Lord,

Your Lordship's most humble and most obedient servant,

THO. SHERIDAN.

I have received a letter from his Royal Highness himself, wherein he assures me of his recovery.

To the right honourable the Earl of Cromartie.

419. THE SAME to THE SAME.

Inverness, March the 12th, 1746, nine in the morning.

MY LORD,—I received the honour of your Lordship's last night, but had already found, upon enquiry, that the man in question was still here, and there are orders given for taking him up. However, I wish your lordship would still cause a good look out to be kept, in case he should escape us; for I hear from several hands that he is a very dangerous fellow.

The Prince continues to grow better and better. I hope this will find your lordship in the midst of victory. The dispersing of Loudun's troops would be of the utmost consequence for the King's service, and I heartily wish your lordship may have the honour of doing it; being, with the greatest respect, my Lord,

Your Lordship's most humble and most obedient servant,

THO. SHERIDAN.

To the right honourable the Earl of Cromartie.

420. THE SAME to THE SAME.

Inverness, March the 15th, 1746.

MY LORD,—I am order'd by his Royal Highness to let your lordship know that, since circumstances will not allow you to think of pursuing Loudun, the best thing that can be done for his service is, that you should continue at Tain till farther orders, and lose no time in raising and gathering together all the

money, meal, and men that you can,—money especially. I have the honour to be, with all possible respect, my Lord,

Your Lordship's most humble and most obedient servant,

THO. SHERIDAN.

To the right honourable the Earl of Cromartie.

421. THE SAME to [JAMES DUKE OF PERTH].

Inverness, March the 15th [1746].

MY LORD,—I am order'd by his Royal Highness to let your Grace know that, since according to the informations he has received, there is no possibility of pursuing Loudun beyond the water, he desires you woud return hither as soon as you can. I have the honour to be, with all possible respect, my Lord,

Your Grace's most humble and most obedient servant,

THO. SHERIDAN.

422. THE SAME to [THE SAME].

Inverness, March the 16th, 1746.

MY LORD,—I received this morning a letter from John Roy, writ by directions from Lord John Drummond and Mr. Murray, of which I shall here transcribe the first paragraph.

“ Information being got yesterday that about sixty Campbels and thirty of Kingston's Horse were at Keith, and to stay there all night, Lord John Drummond order'd Major Glasgow, with about 200 foot piquets of the diffe-

rent corps, 14 of the Guards, and some Hussars, to march there in the night and attack them, which accordingly was done with success. They attack'd them about one of clock in the morning, and the whole are either killed or taken : the exact number killed is not yet known ; I believe about 20 or so : the rest are all in our camp. Only three of our side killed, and some wounded."—Thus far John Roy. The letter is dated March the 21st,¹ 12 of clock. There is not a word mention'd in the rest of the letter about Cumberland or his motions, so that it is hoped we shall have time enough to make clear work in other places. I have the honour to be, with all imaginable respect, my Lord,

Your Grace's most humble and most obedient servant,

THO. SHERIDAN.

423. JAMES DUKE OF PERTH to GEORGE THIRD EARL OF CROMARTIE.

Taine, the 16 March 1746.

MY LORD,—Your Lordship will be surprised to receive an express from me so soon after our parting ; but the occasion of it is a letter I have received, in the Prince's name, calling me back, as their was no hopes to pursue my Lord Lowden further. As I did not know from whence such information came, I took the liberty of opening a letter addressed to Mr. Sullivan, which he could not receive, not being here, and which I send inclosed here. You will see by it, that the opinion of the uselessness of our journey came from a letter Mr. Sullivan writ before he knew the circumstance of affairs ; but you know that since, he has been quite of another opinion ; therefore I think it would be absolutely nescessary for you to write that so far from being impossible, now that both the ships are out of the way, it is very easy, not only in

¹ Sic.

case the Murray boats come up, which I think it would be easy to send, but even with the few boats that are in Cromarty bay, and that before it be two days, if they do not send us other orders, they will hear tell of our having done something, and that it will be a pity to hinder us without absolute necessity. There is one thing that I must tell you for incouragement, which is, that some of the Fraisers have been speaking to them over the ferry, and that they say they are in absolute want of meal, and that they have nothing but rye to boile for meat, and begging for a litle meal, which shows they are in a situation which will not be long agreable to them. I beg you would present my most humble respects to my Lady Cromarty and the young Ladys, and the inveterate Whigg, and believe me to be, with sincere regard,

My Lord,

Your lordship's most obedient humble servant,

PERTH.

To the right honourable the Earl of Cromerty.

424. THE SAME to THE SAME.

Taine, the 17 March 1746.

MY LORD,—I received your lordship's letter, and am glad to hear you will be so soon ready. There is one thing I heard that I thought nescessary to inform you of, that severals of them have cried over to our men that severals of them would come over to us if they could, but that the oars are shut up; which makes me writ that you may bring as many spare oars as possible, in case we should get the boats of the ennemy without finding their oars. Baresdale is come here for amunition, as he says he is ordered upon an important pass, and that they have no amunition, and are affraid of being overpowered at such a distance without amunition, and chuse to deffer marching

for this day without an absolute repeated order from you, in expectation of having amunition to-morrow. In case there be an absolute necessity, you'll send word, and I shall see them off. I beg you would present my humble respects to all in general at your house, both Whiggs and Torys. I am, with the sincerest regard, my lord,

Your lordship's most obedient humble servant,

PERTH.

To the right honourable the Earl of Cromarty, at Tarbat House.

425. SIR THOMAS SHERIDAN to GEORGE THIRD EARL OF CROMARTIE.

Inverness, March the 17th [1746], nine at night.

MY LORD,—I have received the honour of your lordship's of this day, and laid it before his Royal Highness, who orders me, in return, to tell you that, as you give no reason why you think the project for attacking Loudun by the Murray boats not adviseable, and that he has already given orders to provide those boats, he is determined to see what can be done upon that scheme. If it shou'd prove not practicable, why, then what you propose shall be undertaken: for Loudun must be dispersed, at any rate. His Royal Highness wou'd willingly send you the guns you desire; but as he has neither carriages nor mounting for them, they can be of no use to you. The powder and ball you desired was sent off this morning, escorted by some of Glengary's men. I have the honour to be, with the greatest respect, my lord,

Your lordship's most humble and most obedient servant,

THO. SHERIDAN.

To the right honourable the Earl of Cromartie.

Let no man stop the bearer, or touch this letter, as he will answer the contrary.

426. THE SAME to THE SAME.

Inverness, March the 17th, 1746, eleven at night.

MY LORD,—I had the honour to write to your lordship about two hours ago, in answer to a letter brought me by a servant of yours, and told you what his Royal Highness thought of the contents of it. There is since come intelligence which confirms him in his opinion, and you will soon see O'Sullivan, who will carry you what you want. The bearer of this will talk more fully to you. I have the honour to be, my lord,

Your lordship's most humble and most obedient servant,

THO. SHERIDAN.

To the right honourable the Earl of Cromartie.

427. JAMES DUKE OF PERTH to THE SAME.

Taine, the 18 March 1746.

MY LORD,—I am glad to see by your letter that our project is in such forwardness; but I beg of you to remember that it will be absolutely necessary to give the troops here some previous warning to be in readiness, under some other pretext, at a certain hour, or else I am afraid it may be troublesome, for an instant lost for want of their being ready might be of the greatest consequence. And therefore I wish I could know in time, the proper hour of the execution, and whether it will be this night or to-morrow night that it can be execute, that I may give orders about it accordingly. If you cannot come yourself, send somebody you can trust, with proper instructions to concert the thing. One other thing [which] will be necessary will be guides, when we come of the other side of the water. As for the proposal about

meal to the collonels, as it will not be long before they undertake something, it is better not [to] run the risk of desobledging them. As for the meal, I do not doubt but they will bee perswaded to take it; but I am affraid they will insist upon the overplus to be payed them immediatly. But Lockgary has been here, in his way to Inverness, to seek his pay. I stoped him from going there, and told him that I was to order him meal in the meantime, til Mr. Sullivan should come. He is to speak to his men about it. I shal expect your answer about the first part of my letter immediately, and am, with the most sincere regard, my lord,

Your lordship's most obedient and most humble servant,

PERTH.

As the Prince orders his meal to be given, it is absolutely nescessary to have a girnel here in town, and to send in immediately meal into it.

To the right honourable the Earl of Cromertie.

428. SIR THOMAS SHERIDAN to [THE SAME].

Inverness, March the 20th, 1746.

MY LORD,—This is to inform your lordship that the bearer of this, Mr. Petrie, is sent by his Royal Highness to assist you in raising what contributions can be hoped for in Rosseshire, and to ease you in some measure of that troublesome sort of business, whilst you are taken up with an affair of much greater consequence.

I am order'd at the same time to let your lordship know that, a few hours ago, there arrived here a gentleman, dispatch'd by the Duke of York, who brings the strongest assurances of support from the Court of France.

This gentleman, who sail'd from the Brill on Friday last, assures [us] that the whole Irish Brigade had actually put to sea; that two ships only had been taken, and none of the rest put back into any of the ports of France. He adds, that there was certainly a fleet of 36 French and Spanish men of war, and 28 large privateers, sail'd from Brest; which agrees perfectly well with what has been already mention'd in some publick prints. I have the honour to be, with all imaginable respect, my lord,

Your lordship's most humble and most obedient servant,

THO. SHERIDAN.

429. THE SAME to [THE SAME].

Inverness, March the 22d, 1746.

MY LORD,—I am ordered by his Royal Highness to wish you joy of your late success, which he hopes you will continue to make the most of, particularly by raising what money you can in Southerland. He also desires you wou'd forward the inclosed to Lord Duffus. I cannot omit this occasion of acquainting your lordship, that on Friday night the ennemies quarters at Keith were beat up, and near a hundred of the Campbels and Kingston's Horse (that is all that were there), were either killed or taken. I have the honour to be, with all possible respect, my lord,

Your lordship's most humble and most obedient servant,

THO. SHERIDAN.

430. COLONEL JOHN O'SULIVAN to [THE SAME].

Invernesse, 27th March 1746.

MY LORD,—There are two men of war and five transports seen roading all this day from Findoron towards Cromertie Bay, and this evening it is

thought they are gone into Cromertie Bay. As there may be some men aboard those transports that may land in order to seize on the armes or goods that are at Taine, or perhaps to send those transports to the Little Ferry to seize on the ships, it is necessary to give your orders in all the postes, that they may be on their garde. It is proper likewise to give orders to transporte, as soon as possible, the goods that are in the stores at Taine. Glogary's regiment received orders to stay where they are until further orders, so that your lordship may dispose of them as you think proper, provided they do not passe Taine.

His Royal Highness orders me to inform your lordship of this. Nothing presses from the borders of Spey as yet; so that I expect you'll have time to re[a]ssemble the Caithnesse men, disarme the others, and gether meal and as much money as possible.

I found his Royal Highness in parfait good health, and mighty well satisfied with all your operations. I have the honour to be, most sincerely, my lord,

Your lordship's most humble and most obedient servant,

J. O'SULIVAN.

431. THE SAME to [THE SAME].

Invernesse, 28th March 1746.

MY LORD,—His Royal Highness just now received advice that three men of war, three transports, and a smal sloop, arrived yesterday into Cromertie Bay, and that the first man of war sailed directly to Inerberakie. It is thought they had some information that part of the goods brought from Taine were deposed at the storehouse of Inergordon, and that their design is to seize upon them. If really the goods are left at the storehouse of Iner-

gordon, it is necessary that Glengaray's regiment shou'd be quartered near that place, and have a strong garde on the storehouse ; and, to frusterat their dessigns, to loosse no time to order the carriges of the contry to send of, as soon as possible, what effects are there to this town. We are informed, whether grounded or no, that there are no troops aboard those transports, and that they came to transport Louden and his army to joyn at Aberdeen. Be it as it will, it is necessary to take right precautions and be very allerte. The common news here is that Duc William has burnt all the fourage that was in his neighbourhood, and is thought that he's retireing: we have no certainty of this. I have the honour to be, with respect, my lord,

Your lordship's most humble and obedient servant,

J. O'SULIVAN.

432. PASS by SIR EVERARD FAWKENER in favour of ISABELLA, COUNTESS
OF CROMARTIE, AND FAMILY.

[24th April 1746.]

PERMIT the right honourable the Countess of Cromartie, the ladies Isabella, Mary, and Anne M^cKenzie, her daughters, their servants, equipage, horses, etc., freely to go from hence to London, by sea or land, as will best suit their conveniency.

Given at Inverness, April the 24, 1746.

By his Royal Highness's command,

EVERARD FAWKENER.

To all his Majesty's officers, civil or military.

433. ORDER by WILLIAM SIXTEENTH EARL OF SUTHERLAND, Justiciar of the County of Sutherland.

[Tarbat House, 24 April 1746.]

By the right honorable William Earle of Sutherland, heretable justiciar of said county, &c., and as haveing commission from his Royall Highness the Duke of Cumberland.

These ar ordering and commanding that a serjaint and twelve men of the militia companys from Sutherland shall and doe reside and continue at the mannor place of New Tarbat, as a safe guard for the said house, effects within the samen, office houses and gardens therto belonging, so as no dam-nadge be done therto by any person or persons whatsoever : With certification, that whoever offers violence to that or any other part of the estate, shall incurr the displeasure of his Royall Highness the Duke of Cumberland. Given under our hand and seal at Tarbat House, the twenty fourth day of April 1746 years, and in the nineteenth year of his Majesty's reign.

SUTHERLAND.

[L. S.]

434. LORD HARDWICKE, Lord High Chancellor of England, to LORD STRANGE (DUKE OF ATHOLE), requesting him to attend the Trial of the Earls of Kilmarnock, Cromartie, and Lord Balmerino.¹

House of Lords, 30th June 1746.

MY LORD,—I am commanded by the House of Lords to acquaint your lordship that they have appointed William Earl of Kilmarnock to be tried on Monday the twenty-eighth day of July next, at nine of the clock in the

¹ Original Letter in the Duke of Athole's Charter-chest.

morning, upon the bill of indictment for high treason found against him : And George Earl of Cromertie to be tryed on the same day, at ten of the clock in the forenoon, upon the bill of indictment for high treason found against him : And Arthur Lord Balmerino to be tryed on the same day, at eleven of the clock in the forenoon, upon the bill of indictment for high treason found against him. And that your lordship's appearance and attendance at the said trials is required, upon pain of incurring the utmost displeasure of the house : and that, in case your lordship shall be incapable of attending, by reason of sickness or other disability, you are to send two witnesses to attest the same upon oath. And I am also directed to acquaint your lordship, that the lords are summoned pursuant to an act of the 7th and 8th year of King William the Third, intituled " An Act for regulating trials in cases of treason and misprision of treason." I am, my lord,

Your lordship's humble servant,

HARDWICKE, C.

To the right honorable the Lord Strange.

435. COPY of—(1.) LETTER OF SIR JOHN GORDON to SIR DUDLEY RYDER, Attorney-General : (2.) PETITION OF JOHN LORD MACLEOD : (3.) REFERENCE OF LORD HARRINGTON : (4.) SIR DUDLEY RYDER'S ANSWER to SIR JOHN GORDON.

Tower of London, late Friday night, 29th August 1746.

To the right honourable Sir Dudley Ryder, attorney general, &c.

SIR,—In consequence of what Mr. Sharp told me yesterday, at your house, from you and the solicitor-general, I drew the inclosed petition for my unhappy nephew, the Lord MacLeod, and waited this morning upon Lord Harrington with it ; who, touched with the case, immediatly carried it to

Kensington, where he laid it before his Majesty, and in consequence of his royal approbation, his lordship did, upon his return from court, direct Mr. Weston to write the reference that is upon the back of the petition, which he sign'd, leaving it to you, Sir, to give such directions in this matter as you should judge proper.

As the case of the poor boy is justly compassionate, and as there is no time to lose, I came in here directly that he might sign his petition and engagement to remove as much as we could all difficulties. And as I flatter myself you will be of opinion that no essential inconvenience can, in this case at least, arise from postponing the arraignment of the boy, I hope you will be so good as to give Mr. Sharpe the proper directions to stop his taking out now any *habeas corpus* for the removal of my nephew upon Tuesday next, or for any day preceeding the day of his trial and judgment.

To my anxiety you'll please impute my presuming to trouble you in your retirement with business, by sending down the bearer express to you, while in the country, with this letter. And from your humanity, which will tell you how forcibly and strongly persons who have hearts must feel for their near relations in distress, even while they condemn the actions that have justly involv'd them in it, I hope for forgiveness for my thus intrudeing upon your leisure. I always am, with great respect, Sir,

Your most obedient humble servant,

(So sign'd)

JOHN GORDON.

(2.) The Humble Petition of John Lord MacLeod, son to the late
Earl of Cromertie,

Most humbly sheweth,

That your petitioner was upon the 26th instant served with a copy of the indictment found against him for the crime of high treason ; to which charge

your petitioner, full of the deepest remorse and contrition, has resolved to plead guilty, throwing himself absolutely, with the utmost penitence and humility, upon his Majesty's royal clemency.

That your petitioner, now a prisoner in the Tower, is to be removed from thence by *habeas corpus* on Tuesday the 2d day of September next, in order to be arraign'd at the special sessions of oyer and terminer, and goal delivery to be then held in the burrough of Southwark and county of Surry; and, as he is informed, he cannot be remanded back to the Tower, but must, after his arraignment, be committed closs prisoner to the new goal in the said burrough and loaded with irons, there to remain till he takes his trial.

That the said goal is crouded with prisoners; that the petitioner apprehends his life will be in danger from feavers and other distempers incident to goals,—especially considering his youth and his present very uncertain state of health from his long confinement.

Therefore your petitioner humbly prays that he may be allow'd to remain in the Tower till the day of trial; for he is informed he may be arraigned the same day, which can be of no consequence or inconvenience, as he hereby becomes engaged to make use of no advantage that might arise from the delay of his arraignment, but instantly to plead guilty, whenever arraign'd, and not to offer any thing in arrest of judgment.

And your petitioner shall ever pray, &c.

(So sign'd)

MACLEOD.

Whitehall, 29th August 1746.

(3.) His Majesty is pleased to refer this petition to the attorney general, to consider of the contents of it, and, in case he finds no inconvenience in doing it, to give directions according to what is therein pray'd.

(So sign'd)

HARRINGTON.

(4.) COPY of SIR DUDLEY RYDER's Letter to SIR JOHN GORDON.

Saturday morning.

I send by the same bearer a letter to Mr. Sharp to stop Lord MacLeod's arraignment, according to the prayer of his petition. I am, Sir, your most obedient humble servant,

(So sign'd)

D. RYDER.

436. MRS. JEAN MURRAY, attendant on Isabella Countess of Cromartie,
to JOHN MACKENZIE of Meddat.

The Toure of London, Agust 30, 1746.

DER SIR,—My lady desyers me to writ you that both she and my lord is very much surprised at your refusing to let Mr. Georgie go to Edinburgh when Lord and Lady Arneston desyered it: for my lady sayes, altho she did not writ about it, you might be sure she uad aprove of it. For altho she thinks it uas right to let non of them go to Sutherland, yet her ladyship thinks you might very uell kno she uad be fond to have any of them under the care of Lady Arneston. Therfor her ladiship desyers he may be sent uth the first oportunity, ether by sea or land, as shall be judged most proper. I understand from Edinburgh it hes given a good dell of offence the refusing to send him, and my lady sayes she is not at all surprised at it. I sopose Lady Carolian is not gon yet, so that th[e]y may go together, and you'll see to get some carfull body to tak care of them by the uay. My lord and lady, Lord M^cLeod, and all the yong ladys is very uell. Please make

my compliments to Mrs. of Meddet, and all frinds, which is all from,
Der Sir,

Your asured frind and humble servent,

JEAN MURRAY.

To Mr. John M^cKenzie of Meddet, att Meddett.

437. JOHN MACKENZIE of Meddat to MRS. JEAN MURRAY, attendant on
Isabella Countess of Cromartie.

Meddatt, 20th November 1746.

MADAM,—I recived your favours of the last October, wherin yow give me the most agriable accounts of my lady, my lord, the young ladies and my Lord Macleod, being all werie well, and together in on house in the Towr. I pray God they may be soon at there own house well. Many diferent accounts we have dayly hatched by malitious enemies. It was said last week that my Lord MacLeod was to be sent to Jemeca to remain there dureing life, and that the king had settled £200 sterling a year on him : many more stories of this kind not worth mentioning. The young ladies at New Tarbat are all well. Lady Jean was dull for some days after Mr. George went south, but she was brought over here in the day time, and the berns diverted her. Lady Amelia dos not walk her lone as yett. She's able enufe, if she was not afraed of a fall. She cane walk by the wall out of the room till the back door of the house, without any asistance ; and Lady Margrat goes round the whole dining room by a haill. Ther's four ankers butter packed redy to be sent by the first ship, and some honey ; and I writ every week to Inverness to kno if there is any ship going for London. I hear Mr. Inglish' ship will be the first. I wrot my lady some time ago about the Coyach rents, and some other affairs, to which I very much want her ladyship's

derections, as I ame stretined how to do in many respects. God knos the situation I have been in since her ladyship went from here, haveing never had the lest derection or advice from any how to do or behave. And as it has pleased God that they are all together now, I expect they will give me full orders and derections about there rents and labourings, &c. I hade a horning execut against me some days ago, at Lord Sutherland's instance, for the crown rent of the watter of Conin and barony of Strathpefer the years 1725 and 1726. I am told ther's a caption sent for. The sauchs in the gardin of New Tarbat are mostly for cutting, and the gardiner wants to kno if he shall cutt them and dispose of them, as they are steling severals of them in the night time. I wish my lady a hapie hour, and I pray God we mey have good accounts of all the noble family. My wife and I give yow our kind service; and I am sincerly, Maddam,

Your most affectionate humble servant,

JOHN MACKENZIE.

I made your complements to Mr. Gorry and his wife, and Mrs. Murdow. Miss Mertin and her brother sett of for London this day. Sandy Fraser is maried to a wedow at Inverness, and our minister is maried to a daughter of Major Lewes Grant's.

To Mrs. Jean Murray, attending the right honourable the Countes of Cromertie, London.

438. MRS. JEAN MURRAY to [JOHN MACKENZIE of Meddat].

Toure of London, 10 January 1747.

SIR,—I recived yours, and uolld have urot you befor nou, but still uas puting of till I should have the agriable neus to writ you of my ladys safe

deliverie : but as she is still on foot yet, I send you this to let you kno th[e]y are all uell and in prity good sprites, and I hop th[e]y shall be hapie yet, in spit of the united mealice of ther enmies. M^cLeod hes bine vesiting my lady too or thrie times, but not till very letly. The last time he sau her, he told her Mrs. M^cLeod uas to wait on her ladyship very soon. My Lord Sutherland hes seen my lady frequently, but Sefort hes not taken the truble to come to the Toure yet. My lady uold be glad hou soon the buter and hony could be sent up ; and I send inclosed the bill of Mr. Ride for the bundl uith your plaid and Mis[s] Tailour's boocks uich uas sent uith him : but I am sorie to hear he is taken uith the French, altho I uad fain hop it is not true. Pleas mak my compliments to Mrs. Meddet and all frinds, uishing you all a hapie Neu Year. I am glad to hear the cheldrin are all uell, and shall be glad still to have the same acounts. This is all from, Der Sir,

Your asured frind and humble serventt,

JEAN MURRAY.

Let me knou if you opened the bundels and hamper which cam uith Mr. Inglish, and uhat blankets, beds, mattreses, and pilous ther is, so as I may kno if th[e]y are all right.

439. JOHN LORD MACLEOD to [JOHN MACKENZIE of Meddat].

London, 19 March 1747/8.

SIR,—I received yours, and am glad to hear that the little ones at Tarbat House are well. Mr. Gorry has a hanger of mine, which you'll please get, and send up with the sword by the first opportunity. George Mackenzie left an ivory german flute of mine at an inn kept by one Gordon, at Brichen, about two years ago. As I have a particular value for it, I beg that you

would be so good as to enquire for it; and if it can be got, send it up here. I offer my compliments to Mrs. Mackenzie, and am, Sir,

Your most humble servant,

MACLEOD.

440. ANN GORDON, wife of Robert Dundas, Lord President of the College of Justice, to [her brother-in law, GEORGE THIRD EARL OF CROMARTIE], with Postscript to LORD MACLEOD.

Arniston, April 18, 1748.

MY DEAR LORD C.—I have seen a letter from Lord M. to my brother John, acquainting him of his project to enter into the Prussian service, which he seemes to hope his friends here, particularly a near friend of mine, would approve off. My friend, for many reasons, must be shy of writing, least he hurt rather then do good, and for that reason [neither] you nor your family have hitherto heard from him. I am not to enquire into his reasons. Even half politicians will affect to be too wise for us women. But when the project of entring to the Prussian service was communicated to him, it made him start as if he had been half mad. He immediatly exclaim'd—What! General Kieth, Lord George Murray! fine education for a young man that he hop'd was cur'd of foolish principles he was led into. Nixt, as to the father, was he mad? Did he forget the sentence he lay under, and which was still in force? although, under the mild government we live under, he hoped there was no fear that it would be put in execution; but that, had the Pretender prevail'd, and he, as no doubt he would have been, under the same unhappy circumstances that some now are, he would have expected no better then his head to fly, had he had a son in the same circumstances makeing a proposition to allow of this serving under such educa-

tion. He added, and, I must own, with a good deal of heat, that he hop'd, and would for your credit believe, that after the repeated declarations, both publick and private, which you have made, that your sentiments were really chang'd as to that foolish farce of a Pretender ; but that such a proposition as this, without express allowance and consent of his Majesty, might justly be constructed as a more express declaration of rooted Jacobitism than your taking arms. For, indeed, he said, he could not help believing that that unhappy action proceeded not from principle, but imposition upon you, and because of some indiscretion : but he would say nothing bad of the dead. That therefore, suppose he could not find himself at liberty, for reasons known to himself, to give you any advice, he hop'd some good friend might. I took the hint, and, without asking questions, have, as near as I could, transcrib'd his sentiments. He added further, that this project without the King's express allowance seem'd to be madness—the distruction of yourself and the unhappy infants—since it must cut of all hopes of favour, and shut the mouth of every friend. He said likewise, that he could never understand, nor had it yet been explain'd to him, what objections there could be to the Dutch service, if it could have been procur'd,—that every friend meant it as the easiest transition into the King's. And indeed his passion rose a good deal on the thought that seem'd to strict him, that the objection at bottom was grounded on rooted Jacobitism ; and I must believe, where that is the case, his own principles are strong enough to drop even son or father. He told my brother John some part of his mind, with leave to make use of his name. He left us yesterday, and I dare say will write to you by this post : but for fear something prevent him, I shall tell you my friends opinion, which is, that in case the Prussian service should still be thought of, he thinks a very decent, gratefull, humble memmorial ought to be given in to the Duke of Newcastle, representing Lord M.'s unhappy situation, [and] his earnest desire

to show his sincere repentance for what had pass'd by having an opportunity now to show his zeal for his Majesty's service. But that if his Majesty's favour could not be so far extended, as he is destitute of bread, and brought by his infant folly into a starving condition, he sees no other relieve but to endeavour to get into foreign service. That he will enter into none without his Majesty's express consent, if he will be so gracious as to take notice of such a trifle : As what seem'd presently to offer was the Prussian service, but that without the allowance of his Majesty or his servants under him, he would enter into no service that might seem improper, after the mercy he had receiv'd from his Majesty, or any way inconsistent with the zeal and attachment he was determin'd to show for the interest and service of his Majesty : That, upon such a representation, could Lord M. obtain the approbation of the King or his ministers, he would not object to the Prussian service, but that still (rooted Jacobitism apart) he could not see why the Prussian rather than the Dutch ; more especially if there was, as there might be, hopes of some countenance from the Duke of Cumberland.

Thus far I have endeavour'd to collect my friend's sentiments from what he said. I do believe his affection for you put him in some passion when he heard the proposal. I won't ask his forgiveness for writing as I have done, because I shall not tell him I have wrot ; but you may easily believe I shall be anxious to know both your resolutions and mottives. I do assure you my last letter to you was not in consequence of anything I had heard, but from the indefatigable zeal of a certain set. I was affraid of their machinations, and even misrepresentations, which made me caution you to be upon your guard. One friend of yours, of whoes prudence I have not the highest notion (more then the ladies of his family with us), is now in this place, and he was the person I chiefly had in view when I shoud any apprehension of any body's takeing it upon them to speak to you in a way not fitt for you to hear ;

and he I thought capable of heedlessness. I shall only add my best wishes, and am,

Your most affectionate sister and very humble servant,

ANN DUNDAS.

P.S.—To Lord M.—Before you determine in an affair of so great consequence, I beg you would consult with those whoes friendship to you is sincere, and whoes principles are good, and whoes understanding enables them to give right counsel, such as you may with credit to yourself follow. I would reccommend Doctor Chandler, who, I am told, is a worthy good man, and one who has given substantial proofs of friendship to you all. More I could say, but I hope 'tis needless.

441. J. POTTER, for the Lords Justices, to GEORGE MACKENZIE, late
EARL OF CROMARTIE.

Whitehall, 14th July 1748.

SIR,—I laid before the Lords Justices your letter to me of this day's date, acquainting me, for their excellencies' information, that, in consequence of the leave their excellencies had given you, you had hired a house called Layhill, belonging to one Mr. Travaillon, two miles south of Honiton, and twelve of Exeter, to reside in, and that you should be ready to set out from hence when their excellencies please.

I am directed by their excellencies to acquaint you, that they approve of your residing at the house you mention, and their excellencies would have you set out from hence as soon as conveniently you can.

I have signified their excellencies' pleasure to the lords commissioners of his Majesty's treasury, for paying to you the sum of two hundred pounds,

when you shall be ready to set out for your said place of residence, in consideration of the expence of your journey, and removal from hence. I am, Sir,

Your most obedient humble servant,

J. POTTER.

George M^cKenzie, Esquire, late Earl of Cromartie.

442. THE SAME to THE SAME.

Whitehall, 21 July 1748.

SIR,—I am directed by the Lords Justices to acquaint you that their excellencies have ordered a warrant to be prepared for their signing at their next meeting, on Thursday next, to approve of your residing at the house you have hired called Layhill; and when that warrant is signed, an order will likewise be signed for your discharge from the custody of the messenger.

The two hundred pounds ordered by their excellencies to be paid you may be received, clear of all deductions, from the person at the treasury in whose hands it is, on your signing the usual receipt for the same. I am, Sir,

Your most obedient humble servant,

J. POTTER.

George M^cKenzie, Esquire, late Earl of Cromartie.

443. JOHN LORD MACLEOD to his father, GEORGE THIRD EARL OF CROMARTIE.

Bridport, April 18th, [*circa* 1749].

MY LORD,—You will perhaps be surprized to find by this letter that I am set out for London without having acquainted you with any thing of my

design; but when I have informed you of my motives for taking this step, I flatter myself you will approve of the principles on which I act, and do justice to the sincerity of my intentions. It cannot but be very disagreeable to me to find that there are some of my relations in Scotland who make it their business to carp at every thing I do; and all this because I wou'd not follow the scheme of life which they had laid down for me. They not only disapprove of every visit I make, but my going into any company, however mix'd; my being at the most publick places, however indifferently frequented by people of all parties; and my very cloaths are offences of the highest nature. As this fully convinces me that they are resolved to disapprove of every step I can take, I was affraid that if you was acquainted with my design, they might attribute a part of this other imaginary offence to your share: it is to prevent any bad consequences of this nature that has determined me to act as I have done, and I declare before God that the above reason is my only inducement for so doing. As I have ever made my duty to my parents the inviolable rule of my conduct, so I shall always continue in the same sentiments, and shall with pleasure embrace every opportunity by which I can show it.

As idleness is certainly very detrimental to every body, so it is likewise very shameful for a young man—especialy for one in my situation—to loiter away his time when he ought to be pushing his way throw the world. This has determin'd me to offer my service to some of the northern powers, where the approaching war offers a favourable opportunity to such as are determin'd to make a figure in the world or fall in the attempt. I have as much money as will carry me to town, and if I can get as much there as will carry me over the watter, it will do very well. If not, I still think it better even to beg my bread over, and afterwards to carry a musket, then to continue any longer a burthen to you. I shall write again from London,

where I propose to stay but a few days. I offer my most affectionate duty to my mother, and my affectionate compliments to my sisters. I am, my Lord,

Your most affectionate and dutiful son,

MACLEOD.

To the right honourable the Earl of Cromertie.

444. JOHN LORD MACLEOD, to his Father, GEORGE THIRD EARL OF CROMARTIE.

London, 22d April 1749.

MY LORD,—I hope you are satisfied with the reasons I writ from Bridport with regard to my scheme, and the manner of my leaving Devonshire. I am very sensible how much it is the duty of a son to ask the advice of his father, and shall always be glad of having yours, when it can be given without prejudice to yourself. But till then, I wou'd rather ly under the misfortune of wanting so great a happiness, and shall suffer any disgrace rather than involve you in any difficulty on my account. I find Sir John Gordon has been in town a month. He disaproves of my scheme for the same reasons as last year. Lord Elibank and Mr. Murray advise me to present a memorial to the Prince of Wales, asking his consent to my going into foreign service, and giving those assurances of atachment to his royal highness's service which are certainly due to his so great goodness. Sir John does not think this so proper; but they all three say that I shou'd wait on Mr. Pelham, which I propose doing the begining of the week. I shall regulate my conduct, not only here, but when I go abroad, in such a manner as to leave no room for complaints of any sort that can have the least

shadow or fundation of truth. I offer my most sincere duty to my mother and you, and my affectionate compliments to my sisters. I am, my lord,

Your most affectionate and dutiful son,

MACLEOD.

To the right honourable the Earl of Cromertie.

445. THE SAME to [THE SAME].

London, May 6th, 1749.

MY LORD,—I received your letter a few days ago, and am very sorry to find by it that you and my mother have any pain on my account. It was to prevent any thing of this nature that determin'd me to leave Devonshire in the way I did; and I pray God that you and my sisters may soon enjoy that happiness to which we have all for some time been strangers. Whenever I am so happy as to hear of any change of this sort, I shall no longer think myself unfortunate, but that any hardships to which my wandering throw the world may expose me are then fully compensated.

I am now at Mrs. Freeland's (who offers her kindest service to all with you), having taken my leave of all my freinds at the other end of the town. To-morrow morning I sail for Hamburg, from which place I have a journey of two days to Berlin. I shall write from that place, and hope to have the pleasure of hearing then from you. I offer my most affectionate duty to my mother, and compliments to my sisters. I am, my lord,

Your most affectionate and dutiful son,

MACLEOD.

446. ALEXANDER MACKENZIE of Gerloch to JOHN MACKENZIE
of Meddat.

Gerloch, 17th May 1749.

SIR,—I am favour'd with yours, and am extreemly sory Lord Cromartie's circumstances shoud oblige him to sollicite the aide of small gentlemen. I much raither he hade dyed sword in hand even, where he was last ingag'd, then be necessitate to act such a pairt. I have the honour to be nearly related to him, and to have been his companion, but will not supply him at this time, for which I beleive I can give you the best reason in the world, and the only one possible for me to give, and that is, that I cannot. Pray make my salutes to your lady, and believe me, with reguard, Sir,

Your most humble servant,

ALEX^R. MACKENZIE.

To Mr. Mackenzie off Meddate, Esquire, by Newtarbet.

447. JOHN LORD MACLEOD to his Father, GEORGE THIRD EARL OF CROMARTIE.

Hamburg, June 13th, 1749, N.S.

MY LORD,—Last Monday I arriv'd here, after a tedious passage of 14 days from London, on board of a Dutch ship. I was very sick all the time I was at sea, but am now (thank God) in very good health. The day after my arrival I call'd for Mr. Cope (Sir John's son), the English resident. He was not at home, but in the evening he sent his secretary to me with his compliments, to tell me that he was sorry he had miss'd me; that he was then going out of town, but was to return this morning, and wou'd then be glad to see me. I accordingly waited on him to-day. He receiv'd me in a very civil manner,

and kept me to dinner. I am to dine with him again on Sunday, at his country house, by invitation. There are a great many English gentlemen here, from whom I meet with the greatest civilities. Next Monday morning I set out for Berlin. Whenever I get there, I shall write again and inform you how to direct to me, and shall then hope to have the pleasure of hearing from you, which I shall always look on as the greatest happiness. I offer my most affectionate duty to my mother, and my kindest compliments to my sisters. I am, my lord,

Your most affectionate and dutiful son,

MACLEOD.

To the right honourable the Earl of Cromertie, at Northcote, near Honiton,
Devonshire, England.

448. GEORGE THIRD EARL OF CROMARTIE to [JOHN MACKENZIE of Meddat].

Northcote, September 9th, 1749.

SIR,—Since I wrote to you last, I have receivd two letters from you,—one of the 30th June, with an account of the money which you receiv'd from the gentlemen to whom my letter of the 15th March was address'd, by which account I see there is a ballance in your hands of £25, 17/: and you say that, the begining of the month, you sent Mr. Urquhart £20, of which I have heard nothing since. Your other letter of the 28th July relates to what I can give you no answer to at present, but most referr you to be directed by your own prudence. What money I receiv'd is far short of what I expected: if any cou'd be now remitted to my wife, who is at London, it wou'd be of great service; for besides the expences of her living there, and of a family here, which at the same time is necessary and unavoidable, she will have about £100 to pay for the fees of the pardon which his Majesty has been

most graciously pleased to grant to me, and which is now passing the seals. Direct no more letters to this place, but any that you write send under cover to Mr. John Garden, at the Earl of Bath's house in Piccadilly, London; but be sure to get franks for letters so sent, and continue to send them so till I direct you otherwise. My service to the Mrs. of Meddat and all friends that remember me; and I am, very sincerely, your reall friend and servant,

CROMERTIE.

P.S.—I have nothing further to add to this but to desire that you will make my most hearty compliments of thanks to those gentlemen who have been so friendly and kind as to assist me at this time, and to assure 'em of my unalterable friendship and regard for them; and I hope to live to be able to repay them. And for those who have refused me their aid, perhaps they may yet stand in need of mine.

449. Copy of two Letters from JOHN LORD MACLEOD to [his Father, GEORGE
THIRD EARL OF CROMARTIE].

Dantzick, December 6th, 1749, N.S.

MY LORD,—I promised, in my last letter from Berlin, to write again from this place. I have delayed it hitherto, in hopes of having been able before now to acquaint you with the success of Velt Marechal Keith's applications to the Court of Sweden in my favour. I received a letter some time ago from M: Keith, inclosing a copie of Count Tessin's answer to his letter recommending me. The Swedish minister gives the strongest assurances of his doing all in his power for me. Since I have been here, I have payed my respects, from time to time, to the Prince Radzivil, the prince and bishop of

Warmia, and to some others of the Polish nobility now in this city. They are all very courteous and affable, and give me the strongest assurances of assisting me with all their interest in case I go into their country, &c. I am, my Lord,

Your most affectionate and dutiful son,

MACLEOD.

Stockholm, January 16th, 1750, O.S.

MY LORD,—I left Dantzick the 11 of last month; and as I had but a few hours' warning, I had not time to write. I wrote you about a fortnight before I came here, three weeks ago. I was introduc'd the 8th instant to the king, to the prince, and to madame royale, by his excellency Count Tessin, and was very graciously received. All the other senators, as well as the first minister, are extremly obliging to me. My affair is alraidy over, and in a few days I will get my commission as captain in the regiment of foot commanded by Major General Baron Hamilton. Baron Hamilton, the elder brother of my colonel, is my zealous friend: he is high chancellor of this kingdom. A great number of the Swedish nobility are originaly Scots. Besides the Hamiltons, there are the Counts Fercen, who are M^cPhersons, and the familys of Douglas, Stuart, Spens, M^cDugal, and several others. I am greatly obliged to Messrs. Jennings and Finlay, two rich English merchants to whom I was recommended from Dantzick. I lodge with them in Mr. Jenning's house. Mr. Jenning's second daughter is the chancellor's bride: his eldest is likewise soon to be married to the governor of one of the provinces, and the youngest will probably soon follow the example of her sisters, as she has plenty of lovers. The court here is very brilliant; some of the nobility and maids of honor act a play every week, which is followed by a ball in domino. There[']s a[n] assembly for dancing and cards every Wednesday at Count Tessin's. I offer my affectionate duty to my mother, &c. I am.

450. GEORGE THIRD EARL OF CROMARTIE to [JOHN MACKENZIE of Meddat].

London, April 20th, 1751.

SIR,—I told you in my last that the goods sent in Captain Reid's ship were received, but that the head piece of the sconce, and a piece of one of the heads of one of the peer glasses was not come; and desired that you might look out for them to be sent by the first occasion. In looking over the things since, there are amissing the cushin of the easie chair, which is of a particular shape for the chair, the damask cover and haratain cover are come, but not the cushin itself. There is likewise missing one of the pillows of the couch cover'd with damask. Those you will likewise send by the first occasion of a ship, which I hope will be soon, as we long extreanly for Peggy coming up, which I most again insist for being as soon as possible. The shovells were foregot, but it is no matter, as allso the small grate that was wrote for is not come, but another that was good for no more then so much old iron. There are some more of the mahogony brackets for candlesticks at the sides of chimuys—let them be sent. Now that this is over, you'll make out exact and particular inventarys of all that remain, where ever they are, whither at Tarbat, Castleleod, Invergordon, Belnagowan, or where else they may be. As soon as I receive that, I will send you a particular note of what things are to be kept, and where, as also of what are to be sold, with prices afixed to such as I can here put a value upon; and those that no prices are afixed to, to be sold for what can be got for them. In the meantime, let all the care that is possible be taken of every thing, especially of such things as are aptest to be spoilt by being moulded and moth-eaten for want of air, such as pictures, tapestry, beds and beding. I shall send you an infallible recept for preventing and destroying mothes, viz., black pepper pounded very small and sprink[l]ed throw a drudging box pritty thick all over

the tapistry and betwixt the folds, and folded up with that in them destroyes and absolutely prevents any mothes. I beg you will take care that this be done: the same will ansuer with blankets, or any thing else that is liable to be moth-eaten. I hope Mr. B—y will take care to keep the houses water tight; and that you will take care of other things without doors, I make no doubt. Compliments to all friends. We shall meet ere hills meet. I am,

Your affectionate friend,

CROMERTIE.

I shall send you some franks as soon as I can get them. I have not yet received the £15, nor heard from Mr. Urquhart since you sent it.

451. LORD GEORGE MURRAY, signing "DE VALIGNIE," to JOHN LORD MACLEOD.

Emmerick, 25th April, N.S., 1751.

MY LORD,—I had the pleasure of your lordship's of the 15th March, and by last post, that of the 26th. I'm glad to find you have kept your health well all this winter. I most heartely approve of your intention of passing to Findland, if there be an inbarcation, tho' you have not an immediat call, for it may prove very usfull to you in sevral respects.

Your lordship will not doubt of my inclinations to serve you in anything in my power; but realy, I am deficulted how to make another application to the King, for I told you formerly I had never done it for any person else. And I am much affraid, if done, it will not have the success we wish; for his Majesty has abundance of deficultys to struggle with, and is often much pinch'd; tho without doubt he is as desirous and willing to assist his suffering and distressd subjects as any prince on earth. I am the more

unwilling to ask favours for my friends that the returns I mett with for my services and best indeavours to advise the prince, when in Scotland, were not very encouraging; yet nothing can alter my way of thinking for the King and my country's service, so I shall always continow to act in evry situation as becomes an honest man. And as I believe I can write more in your lordship's favours than your modesty woud permit yourself to do, I undertake it with more willingness than hopes of success. I have therfor, by this post, wrote to Mr. Edgar all I can think most proper to atean what you desire, and which he will lay before his Majesty, and I expect in less as two months to send you an answer. At the same time, you had best not lay your account upon any thing: if it comes, it will always be usfull; and let not the want of it hinder your putting your design in execution. Please let me hear from you, from time to time. Evry thing that concerns you I will always take parte in; and if there be any thing of moment transacted in your partes which you think will not be in the publick papers, I shall be glad you let me know. My wife goes soon for Scotland; she desires her compliments to your lordship, and we both wish all health, and success in your affairs. I remain, my lord,

Your lordship's most obedient and humble servant,

DE VALIGNIE.

A my Lord, my Lord Macleod, dans le regement de General Comte d'Hamilton a Malmoe, in Scania.

452. GEORGE THIRD EARL OF CROMARTIE to [JOHN MACKENZIE of Meddat].

London, July 4th, 1752.

SIR,—I have received yours of the 19th June. I was, several months ago, aware of what Mr. Baillie has now wrote to you. I knew that was an

event that was to happen, and, of consequence, what would inevitably follow upon it. That was the reason that I so frequently wrote in so pressing a manner that you should peremptorily execute what I recommended to you. I could not explicitly give you reasons for what I hinted ; but you may now expect that person who succeeds my old friend upon you unawares ; so I need not tell you what will naturally occur to yourself is to be don. What is lost in point of time is irrecoverably so : and that is what I was alwise afraid of. In short, let all the things that are to be sent hither be directly lodged at Cromertie, if you should hire a room for them till a ship offers. The tapestry, pictures, and all the other things that are to be keep't, to be lodged in the same place. I am persuaded Captain Urquhart will not refuse to give a place for them, of which I have wrote to Mr. Gorry : but at any rate, let them be removed to a safe place. And what remains of the things, to be sold directly to the best avail : take what you can get for them. Take what you are offered for the red bed at C—— ; and what you are offered for the little chimney glass you mention is enough for it, and it is better sold then the large glasses would be at the prices I affixed to them. Take what you are offered for the pale bed, and for everything that remains at that place ; take what you can get for them, that they may be disposed of without loss of time. And sell these boring irons ; I suppose you will get no more for them then what iron sells there for by weight. The time of Mr. Ross's coming to Bell——n may be uncertain, and it is as uncertain whither he will buy anything. Do not trust to it, except you have been spoke to by commission from him, and in that case the things can be lodged in a safe place near him ; for there is an absolute necessity for removing them from where they now are, and that immediately. I believe that Mr. C. H. G., besides the four sconces he has already bought, will buy the four glasses that are contained in the list I sent you the 25th of April last ; viz., a large chimney

glass in a gilt frame, with branches—£12, 12s., a large new pier glass in a gilt frame—£12, 12s., a smaller ditto in a gilt frame—£6, 6s., a new fashioned chimney glass, gilt frame—£4, 10s.; and the 17 large brass locks that fix on plates of iron. I have heard from Mr. Hamilton about these things, and have agreed to let him have them, provided that you have not sold them before this comes to hand. So you will deliver them to any person that he appoints to receive them; but that must be done without delay.

Let all the other locks except these 17 remain on the doors at both places. As to the chimney glass that Fairburn has got, without regard to what it cost me, let him send the exact dimensions of the two sheets of glass to his doer at Edinburgh, to enquire at the people there who deal in glasses, to know what they would give for it; and my friend Fairburn shall pay me no more than what he could, if he had a mind, sell it to them for.

I am well persuaded that the person whom you mention will be exact to a title, in so much that I believe there will be no benefit had from the grassings; so [I] think the best thing can be done is to sell the whole stoke of cattle.

As to the beds at T[arbat], sell them for any tolerable price, without regard to the prices I affix to them: and in this I leave a discretionary power in yourself. But if no tolerable price can be got for them, have no scruple about dismounting them; that is, in pulling all the stuff of the coumbes of the velvet, and blue sowed beds, because, if ever we were to use them again, they would be made up in a quite different way, and, of consequence, dismounted before they were so made up. Therefore it can be of no loss, if they are to be kept, to take them down so; on the contrary, it will be an advantage, because they'll pack easier and take up less room. You know that the eamblat showed bed is to be kept at any rate; and if you do not get an adequate price for the two above mention'd, and for the green turk-

upon-turk, they also are to be kept, but all their bedsteds to be sold. Every thing elce to be sold for what you can get for them ; and in doing that, and removing every thing, there is not an hour to be lost.

With compliments and best wishes to Mrs. Mackenzie and you, and all other friends in the country, I am sincerely yours,

CROMERTIE.

For Meddet.

453. LORD GEORGE MURRAY, signing "DE VALLIGNIE," to JOHN LORD MACLEOD.

Emmerick, 1st Aprile 1753.

MY LORD,—I receiv'd the honor of your lordship's letter of 30 July last: but as you then told me you was resolv'd to make a tour to Britain, I imagin'd any letter I could write would not find you in Sweden. I have now your lordship's of the 14th February O.S., by which I see your reasons for not having made that journey; which, indeed, could not have profitted you as your affairs are situat, and therefore I think you have judg'd it very well not to have put yourself to so unnecessary an expence.

I'm sorry to find your lordship is still troubl'd from time to time with that wicked distemper the ague. I believe if you acustom'd yourself to bitters, and dyet drinks, it would be of use to you: had your ague been put right away at Berlin, I don't think it would have recur'd so often.

What ever may turn out as to pace or war, your lordship can do nothing that will be of more advantage to you than applying yourself closs to your business, and makeing yourself intirly master of ev'ry thing requisite for an officer. Your lordship has all the disposition and oppertunitys necessary for that end, and, whenever a war should brake out, you will be no novice. I

own it is my oppinion that, notwithstanding all the rumores we have, they will blow over for the present.

I wish you may have opportunitys of finding good books of history, the reading carfully of which will be of the utmost service to you in after life. Your lordship may be assur'd that I shall ever take a particular concern in evry thing that regards you ; and if at any time I can be of any use to you nothing shall be wanting on my parte that's in my power.

Pray, send me an account of the country you live in. I'm told evry thing is plentifull, except money, and in ginerall it is a cheap country. I have been long thinking of making a toure to Sweden. I have acquaintance at Gottenberg, and also at Stockholm. I believe travling is chape there, for otherways I could not attempt it ; but, if I should, I would not pass by my own name.

My wife and Lady Sinclair have been with me these ten months, but I believe will return home before winter nixt. They desire to make their compliments to your lordship.

When you write me, direct to Monsr. de Vallignie, here, par Hamburg. This is better as by Minden.

My second son is apointed an aide-du-camp to one of the generals that are to command in the camp that is to be form'd near Dresde this summer, but I shall have the utmost deficulty to equipe him in horse, &c. Their pay there is very small, as first lieutenant not above 14 rix dollers a month ; and he stands me fifty each month more, which brings me into great deficultys. I ever am, my dear lord,

Your lordship's most humble and obedient servant,

DE VALLIGNIE.

A my Lord, my Lord Macleod, capitain dans le regement du General Comte d'Hammilton, a Barsebeck par Landserona, en Scanie, par Hamburg.

454. THE SAME to THE SAME.

Emmerich, 29th October 1753.

MY LORD,—Your letters of the 17th May, 22d July, both from Barsebeck, and that of 20th September from Helsingfors, came all to my hands in cours of post. I would certainly have wrote to your Lordship before now, but as by your two first letters I observ'd that you were to return to Finland, I postpond writeing, not thinking a letter could come safe to your hands untile your aryvale with the regement: besides, your lordship gave me no adress in either of them letters. I shall on this occasion observe that I imagine your lordship's letters to me are open'd by the way—perhaps at Hamburgh. Be that as it will, I take it to be the best methode, both for you and me, to inclose our letters to some other person; that is to say, the single letter with a seal or wafer derected as ordinary, and the envelop derected as I propose, so that the postage will be stile the same. The envelop of the letters you adress to me may be derected *a Monsicur Excersman, Maître de Post, a Emmerich, dans le Duché de Cleve*; and your lordship may let me know how I shall derect the envelop of my letters to you.

I find by your letter of 22d July your lordship had made a trip to Copenhagen with your general, and seed the camp that was there formd, and the manuvres of the Danish troupes. I am oblig'd to you for the particular account you then wrote me of what you had seen, and I agree with your Lordship in the observation you made as to their exposing their flank when form'd in batle, tho' it was to be supos'd it was as in sight of an enemy. Nothing is more advantagious for officers, and even the common souldiers, than these camps in time of pace, and they seem to be pritty much *a la mode* at present. I imagine your lordship would have been content to have seen the encampment of the Prussian troupes near Potsdame. They say there could not be a

finer sight, not only upon account of the troupes, which I believe are not to be equald any where, but also the justness of all the different manouvres, as well as the variety. I own I had a vast inclination to have been there, and I had the kindest invitation imaginable some time before from our worthy friend the V[elt] M[arechal] Keith, who made me an offer, not only of his house, but also horses to mount me; but my affairs did not permit me to embrace so agreeable an offer. My second son came here the middle of July after the review at Dresde. He had a very good opportunity of instructing himself, having serv'd as aide-du-camp to the General Quartermaster, who directed the whole detaile of that encampment under the V[elt] M[arechal]. I find him much grown, and he does not want tounge: he is equally master of the French and High Germans, which last he speaks full as well as his mother tounge. But I can't say the same as to his writing, for he is too giddy, and wants reflection. He went from this with his mother and sister the end of July for Scotland; and he is to be back here once this month. I propose putting him in some proper place to learn some exercises, particularly the mathematics, for a couple of years. Dresde is a place of too much diversion; so that a young person has over much occasion to be dissipat: besides it is one of the most expensive places in Europ. I have the Velt Marechal Rotu-wiski's permission and aprobation to place the young man for a couple of years where I may see convenient; and I don't fear that he will meet with any injustice, but that he will advance in his turn. There are above thirty lieutenants in the regiment younger in commission than him.

My eldest son was, I believe, married the 23d October, to his cousin Lady Charlot, the Duke of Atholl's only child. If he have no other, they will have all except the titles, which will be sunk by my attender. But there is a British peerage which will be in Lady Charlot's person, if her father have no sons.

I'm sorry to observe by your lordship's last letter that your circumstances are not so good as I most heartely wish they were to your own contentment; and I am the more concern'd that I doe not see that what you propose can answer your expectations. I sent you an exerpt of the King's letter, when you got the last remittance; so that, after what his Majesty than wrote, it would, I conceive, be to no purpose to make a further application. I shall tell your lordship further that, above five years past, the King in a letter he was graciously pleas'd to write me, had the goodness to say that he intended to augment the allowance he gives me by 1200 livers a year. I had made no application for that augmentation, and no doubt his Majesty intended it, but I have not heard any more of it. I really believe his own situation does not permit his doing it, and I have never once taken leave to put him in mind of it; being perswaded he would, if he conveniently could, since he once said it. I suppose what money or subsidy the court of France gives is to the Prince. This is my thought. I always am, my lord,

Your lordship's most obedient, etc.

G. M.

As I found that I was too late for the post last Saturday, I did not finish my letter till this day, 3d November. I should be glad to know if your lordship has a company, and what your pay may amount to in the month. If I can think of any proper method to let your circumstances be known more fully to his Majesty, assure yourself I will endeavour to do it, tho, after what he wrote me, I cannot directly to himself. I would not have your lordship make much dependance upon any pecuniary assistance from the King; and, as I formerly mention'd to you, I doubt not at a proper juncture he may fall upon some methode of procuring you strong recommendations. If any conjuncture of that nature should offer which may have a probability

of success, if you think that I can in any how be servisable to yow, I shall with much pleasure and frankness embrece the ocasion. If your lordship derset to me (and under Mons^r. Eversman's cover) you may adress to me *a Mons^r. Mons^r. le C[h]evalier d'Atholl*. Believe me to be always,

Your lordship's most affectionat humble servant,

LE CHEVALIER D'ATHOLL.

A my Lord, my Lord Macleod dans le regement de Lieutenant General Comte d'Hamilton a Barsebeck en Finland, Suede, par Hamburgh.

455. Field-Marshal the HONOURABLE JAMES KEITH, second son of William ninth Earl Marischal, to [JOHN LORD MACLEOD].

Dresden, March 13th, 1757.

MY DEAR LORD,—I ask you a thousand pardons for having employed so often Miss Eve in our correspondence, but my illness will plead my excuse. I have been so troubled this wholle winter with the asthma that I was quite out of condition to write myself; but as it is now over, I take the first opportunity to assure you how charmed I am with the hopes of seeing you in our army, where, if you arrive by the 15 or 20 of April, you will be in time enough. I believe I need not desire you not to encumber yourself with much baggage. Some linnen, two suits of uniforme, ane iron bedsted, is all, I think, you want. A couple of riding horses will be necessary to be bought before you come here, where it will be very difficult to get any. A servant's horse, and one for a packsaddle, you will find means to buy here. You see I propose a very small equipage to you; but as I hope you will share my table and quarters, I think it will be sufficient. I have already returned the King of Sweden thanks for the letter he did me the honour to write me, and I

believe our King has already acquainted his sister of the permission he has granted you of assisting here. I wish you a good journey, and am, with the greatest regard, my dear lord,

Your lordship's most humble and most obedient servant,

JAMES KEITH.

456. PATRICK FIFTH LORD ELIBANK¹ [address wanting].

Balencrief, near Hadington, April 2d, 1757.

SIR,—So high are the expectations of the honest part of mankind from the principles you profess, and the steps you have already taken towards the relief of your injured country, that, however much the publick distress may require your attention, I flatter my self you will, at least, pardon me for putting you in mind of a wrong done a private man, in so publick a manner, and on so publick an account, that it cannot be unworthy even of your publick spirit to redress it. I mean the case of Alexander Murray, my brother. Six months' imprisonment, and perpetual exile, have been the recompense of an honest endeavour to exert the privilege of a free born subject,—the last of these severities exercised on him, after an acquittal of a supposed crime, by a jury, and the laws of his country.

It has been my fate to pass my life in constant opposition to men in power, and my want of practice in the arts of sollicitation must appear in this my first attempt. But, as I am persuaded it is by arts different from such as have been employed these forty years past, that you are to be prevailed upon, 'tis possible the most experienced may find themselves full as much at a loss.

¹ This Lord Elibank was bred a lawyer, and also chose a military life. He was author of several tracts on the Peerage of

Scotland, and other subjects. His lordship was a man of talent. He died on 3d August 1778, in his 76th year.

I have felt the weight of ministerial resentment oftener than once ; and as I never stooped to any unbecoming means of lessening the burthen, I beg leave to assure you that no consideration shall hinder me from doing my uttermost to support you in your endeavours for the publick good ; which, since I am sincerely convinced you have at heart, I am, Sir, with the greatest respect,

Your most obedient and most humble servant,

ELIBANK.

457. JOHN LORD MACLEOD to [JOHN MACKENZIE of Meddat].

Ballencrief, the 11th September 1758.

SIR,—I have been in this country for some weeks to pay a visit to my friends, and wou'd have been very glad had it been in my power to see my friends in the north : but as that is not possible, I beg that you'll give my kind service to them all, and assure them that it shall always give me great joy to hear of their wellfare. I beg that you'll go to Tulloch before the Michalmas head court, and give my service to him, and tell him that I hope he'll pay some regard to the two letters which I wrote to him about giving his interest in the town of Dingwall to my uncle, Sir John Gordon, and that I depend so much upon his friendship as to assure myself that he will, upon this occasion, gratify me in a thing that I have so much at heart,—especialy as it is so much for the interest of the town to prefer Sir John to a stranger who can care nothing about them. You'll speak in the same stile to Bailly Alexander Mackenzie, and to every body else of the Town Council with whom you think my recommendation can be of any weight, and assure them that I shall take their giving their interest to my uncle as the greatest personal favour done to myself, which I shall always be ready gratefully to acknowledge upon every occasion that can offer. I set out to-morrow for

London, where I shall stay some weeks. I shall be very glad to get a letter from you there, to know how you and your family do, how things go in Dingwall, and all the news of the country.

My sister joins with me in our kind service to you, to the Mistress of Meddat, and to all your family. I am, Sir, your most humble servant,

MACLEOD.

458. BRIGADIER-GENERAL JAMES MURRAY, son of Alexander fourth Lord Elibank, to his brother [REAR-ADMIRAL GEORGE MURRAY].

Quebec, October the 11th, 1759.

MY DEAR BROTHER,—The news of the battle of Quebec will have reachd you long before this can come to your hands. I had too great a share in it to condescend to particulars; because I hold it odious to speak of one's self. I have the honour to be appointed Governor of Quebec and the conquer'd country, which is a noble one indeed,—infinitely beyond what any Britain imagin'd it to be, whether for the fertility of its soil, or number of its inhabitants. I have now serv'd two campaigns under three officers who were put over my head, and I don't find I have got a regiment yet, tho I have had the strongest assurances from the ministers. I think I cannot miss it now, and I believe my enemys will agree that I have earn'd it. I enjoy great health in America: the cruel disorder in my estomach is entirely cured. It was certainly nervous, and the severity of the Nova Scotia frost braced me up, and has made me the strongest man in the army. Tell Elibank that I think my self now above poverty; and therefore, without being suspected of flattery, I may assure him that I love him as a brother, and shall not for the future reject his correspondance. If you, or he, or any of you, have any body

in my way to provide for, you may command me. I have ever loved you all, tho none but your self and the Fergusons have acted with that friendship I might have expected. I left orders to send Petty Ferguson to the accadamy at Wolich : I hope it was done. I mean to push him in my own profession. I am sure if I live I shall have it in my power, and when I die it will not be the worse for him that I had the care of him. Pray, my dear George, let me hear from you in the spring, and write sometimes to my dear wife, who has been too much neglected by all my family but yourself. I have taken it into my head you will hear good news from me in the spring. I am making provision of snow shoes for a winter expedition, and will not allow the Chevalier de Levi to be quiet in his cantonments. I have an eye to his magazines. I have six thousand as brave troops as ever existed. Business may and shall be done with them, that those who have hitherto deprived me of my preferement may repine at it. Your old acquaintance Saunders is much my friend. He is a worthy brave fellow ; and if it lys in your way, I wish you would wait upon him, and let him know how much I think myself obliged to him. Make my compliments to all my relations about you, and be assured that I am sincerely yours,

JA. MURRAY.

459. CAPTAIN RODERICK MACKENZIE to his Brother, GEORGE THIRD
EARL OF CROMARTIE.

Margaret Street, 11th August [17]60.

MY DEAR LORD,—I send your Lordship by Kenny the bitters,—two teaspoonfulls to be taken before breakfast, in any thing you please.

The inclos'd is for your amusement. Each line is the picture of an

individual of your Lordship's acquaintance : all of a certain numerous clan in a northern county of this island—freeholders, except a few.

I know your penetration will soon find them out. I am,

Your lordship's affectionate brother and servant,

R. M. K.

To the right honourable the Earl of Cromertie.

CHARACTERISTICS.

THE first in rank, the last in action found.
 Nervous in action, and in judgement sound.
 A plant exotick takes another name.
 The younger vegetable rises not in fame.
 Too much a patriot, too fond of ease.
 All silk and service every man to please.
 Pride with rough sence, avidity with thought.
 Tongue the chief talent, restlessness for nought.
 Selfish with rigour, industrious for what ?
 Sprightly and gay, let that stand for that.
 Half-full of sense, of physick, law and truth.
 Modest, discreet, in conversation smooth.
 Secrecy and sanctity, not without a blot.
 Early turn'd to business, opulence his lot.
 Merit in his sphere acknowledged by all.
 A bottle and a joke, with welcome to his hall.
 Rapid to acquire a character of weight.
 In old age young, in youth a judge of right.
 Steady and firm to what he thinks is just.
 Boasting not doing what he knows he must.

In frolick feirce, but honest all within.
Polite in taste, but not without a sin.
Silent and sensible, quite free of fraud.
Honest and just, not to be overaw'd.
At home for hospitality prepar'd.
Pelf, with a borrow'd title, struts a laird.
Known by long experience to be good.
Watchfull and active, not yet understood.
Thriving, and confined to his own shore.
An honest politician, and no more.
Peremptor and rich, without much grace.
Generally unknown, but by his face.
A figure seen, with talents tho' unknown.
A tree full grown, the seed but lately sown.
The oldest soldier that the clan can boast.
Reading and taste in whim and hurry lost.
A solid dullness frug[a]lly employed.
A fortune competent and half enjoyed.

460. BRIGADIER-GENERAL JAMES MURRAY, son of Alexander fourth Lord Elibank, to his Brother, REAR-ADMIRAL GEORGE MURRAY.

Quebec, October 19th, 1760.

MY DEAR GEORGE,—Yours of the 12th July did not come to hand till yesterday. Your son Patrick, I told you before, I should take off your hands. The commission is not yet made out for him, but it is settled he is to have it. It would now have been done, had I known [h]is Christian name when I was at Montreal.

I suppose long e'er this comes to you, my lord Elibank will have received a letter from me in answer to that he wrote in favor of Major Oswald. I mean to live in friendship and decency with him and all my relations: it is my duty, and I assure you it is my inclination, consequently there shall be nothing wanting on my part to accomplish it. As to the debt I owe his lordship, it shall be paid; I am now, thank God, able to do it. Disputes about money can never subsist but with grovling souls. When I pay the debts to him and to Sandy, I acquit myself of the obligation. They know how these debts were contracted, and they both will agree that the moment I have fulfill'd the law, and has nothing to fear from the bumbaliefs, they and I are on a footing; and that gratitude can only be due from future acts of benevolence. With regard to you, the doctor, and Mr. Ferguson, I must for ever be insolvent: it is the way of bestowing a favor that makes the obligation permanent. You seem to be nettled at the silence of the news writers; but if you'll coolly consider, I am highly honored thereby. Mr. Townshend, Monkton, &c. &c. &c., were in the right, perhaps, to hire these miscreants to relate f[e]ates they never performed, and to ascribe to themselves the actions of other men. I don't want such false trappings; it is the praise of my brother soldiers I am ambitious of, and I flatter myself I have their esteem. I have the satisfaction to know that my conduct has the approbation of his Majesty and his ministers. I have served my country with an honest, hearty zeal, and shall continue to exert the poor faculties I have, in any station I may be placed in. A steady adherence to these principals will succeed in the end, and get the better of all sculkers, jack-daws, and garrateers. It will no doubt be known hereafter to all the world who opposed the attack of the lines at Montmorancy, and who in the begining, and to the very last of the campaign, urged the descent above the town at the very place where it was made. And surely no body is ignorant of what the left wing of the army did the day of

the 13th of September: it was not *en potence*: it broke the enemy's line, and pursued the fugitives to the gates, and would have compleated their destruction, had it not been call'd off by superior authority. It must be allow'd that to maintain the conquest in the situation I was left in, was a much more arduous task then the acqesition of it: that was the bussiness of two or three hours, in which fortune was most partial to us; the other was a series of toils, alarms, intrigues, finesses, and, in short, of every thing that is comprehended in war. My journal in the hands of the minister points out all at large. You shall see it when we meet; and you will allow that Monkton and Townshend gave up a field of glory when they abandon'd Quebec, which they never can recover, were they to keep in constant pay all the scriblers under the sun. I fought a battle; I lost it. What then? is every day of battle a day of victory? Let it be asked any soldiers if, in my situation, it was right to fight. He will answer without hesitation, "To be sure." Examine the disposition, compare it with the ground, which must determine the propriety of it, and I flatter myself it will be allow'd a good one. Was not the critical moment of attack made use of? Did it not succeed? Was not the victory gain'd, had the right wing been as active and as vigorous the 28th of April 1760, as the left was the 13th of September 1759? Was not aid instantly given during the action where it was wanted? Were not the cannon judiciously placed? Does not all this denote a presence of mind, and a *coup d'oile*? Where was the general in this battle?—Betwixt his own line and that of the enemy—everywhere, where the enemy made a push, animating his men by his presence. He had two horses shot under him, and his cloaths riddled by the enemy's musketry. Where was he when the right wing falter'd? He was placing the cannon on the hights, in the center, but rode instantly to the right, and there recover'd the confusion. How did the troops retreat into town? In tolerable order, by means of the corps the

general himself posted in the two unfinished redubts, and on an eminence. Did he stay with these corps himself to the last? He did, he was the last man that enter'd the gates. The defence of the place, as it was successfull, in England (where every thing is right or wrong agreeable to the desision of Dame Fortune) will answer for its self. You are to ask the French generals what share I had this campaign in the total reduction of Canada. I am perswaded Mr. Amherst is too just to be silent on that head. He certainly has told that I left him nothing to do, and that the Marquis de Vandrueil insinuated terms of surrender to me, before Mr. Amherst's army appear'd, which I would not listen to, as I had intelligence of the commander-in-chief's being within six days' march of me, and I was posted at Longviel, by which the junction of the three armies was infallible.

This much I have open'd myself to my brother: it is very wrong for a man to speak of himself, but he that praises himself is unpardonable. I therefore conjure you not to shew this letter to any body but Elibank: he and you may make what use of the contents you please, provided you do not let it be known that I have trumpeted my own fame.

I think myself accountable to my family in a very particular manner for my actions, especially as the sphere I have lately acted in has been eminent. It will be your bussiness to dive into the truth of every sentence of this letter, but not to expose me to the reproach of vain glory. I offer my very affectionate compliments to all my relations round you, and am, my dear George,

Your most affectionate brother and sincere friend,

JA. MURRAY.

Sandy Johnstone now lives with me, and acts as my brigade major. He is very fat, but we have nothing to do.

461. CHARLES LORD HOPE to JOHN LORD MACLEOD.

Hague, June 21, 1761.

MY DEAR LORD,—The pleasure I enjoy'd in your acquaintance last summer makes me embrace this opportunity of recommending to you Mr. Pointz, a young man for whom I have the sincerest friendship. He proposes making the tour of Denmark and Sweden, after which he returns to England. You will be so kind as introduce him to Madam Se—ts and her two lovely nieces, assuring them at the same time that I still retain a grateful sense of their civilitys. I would beg you to carry your politeness to my friend farther then you did to me,—I mean that you would let him see Miss Ro—n, *at the window at least*. You know you refus'd me that pleasure among the last nights we were together. You may likewise make your servant introduce my friend to that house, which if I remember right lies in an alley which runs towards the Exchange from the street where little Adamson lives. Mr. Rouat has given Mr. Pointz a letter to Finlay, who will no doubt shew him Douveness and the environs in their perfection. Be so good as assure Finlay that I shall ever remember the extraordinary civilitys he was so kind as shew me during my stay at Stockholm, and I hope he will have some of the same kindness for my friend. My most sincere compliments to Miss Finlay, Mrs. Jennings, Adamson, Fenwick, and in general all my other friends and acquaintance. Assure them all of my remembrance of their civilitys. I ever am, my dear Lord,

Your sincere friend and humble servant,

HOPE.

To the right honourable the Lord M^cCloud, at Stockholm.

Sir

Poland Street Jan: 30th
1762

It's a long time since I have had a letter from you; I hope your Silence is not owing to any indisposition in your family, I long to hear from you. —

The last time we heard from S. Carolina brought us the disagreeable news of Mr Atkin's Death, so now both my Daughters there, have the misfortune of being Widows; my Son George is with the Regiment at Halifax in Nova Scotia; I hear'd lately from my Eldest Son, he was very well then, & he acquaints ^{me} that the King of Sweden has been pleased to conferr a new honour on him; by Creating him a Knight of the order of the Sword and North Star; the Ensign, of this order, is a Star Pendant at a button hole of the Coat, by a Ribbon: It is the most Noble order, they have in Sweden.

The rest of my family here, are very

well, & join with me in best wishes for
you & your family: and compliments to
all friends who inquire about us: I am
Sincerely yours. CROMERTIE

P. S. My Brother Roderick, has assigned to
my Eldest Son the Superiority w^{ch} I gave
him in Ross Shire: my Sons Charter and
Sash is to pass, this ensuing term, Mr Geo
Urquhart will send North to have Infeft-
ment taken, & I hope you will take care
that Mr Urquharts direction be carefully
observed. The valuation of this Superiority
amounts to 670 Pounds Scots, so that my
Eldest Son will have it in his power to
make over to his Brother George 270^{ll}
& I will obtain from another friend, as
much as with that, will give George a
Qualification in Ross Shire; & Sir John
Gordon is so kind as to give to both
my Sons Qualifications in the Shire
of Cromertie; this may hereafter be of
service; in the mean time it gives them
some footing in the Country. —

462. GEORGE THIRD EARL OF CROMARTIE to [address wanting].

Poland Street, January 30th, 1762.

SIR,—It's a long time since I have had a letter from you. I hope your silence is not owing to any indisposition in your family: I long to hear from you.

The last time we heard from S. Carolina brought us the disagreeable news of Mr. Atkin's death; so now both my daughters there have the misfortune of being widows. My son George is with the regiment at Halifax in Nova Scotia. I heard lately from my eldest son: he was very well then, and he acquaints me that the King of Sweden has been pleased to conferr a new honour on him, by creating him a knight of the order of the Sword and North Star. The ensign of this order is a star pendant at a button hole of the coat by a ribbon. It is the most honourable order they have in Sweden.

The rest of my family here are very well, and join with me in best wishes for you and your family, and compliments to all friends who inquire about us. I am sincerely yours,

CROMERTIE.

P.S.—My brother Roderick has assigned to my eldest son the superiority which I gave him in Ross shire: my son's charter and sasin is to pass this ensuing term. Mr. Leonard Urquhart will send north to have infetment taken, and I hope you will take care that Mr. Urquhart's direction be carefully observed. The valuation of this superiority amounts to 670 pounds Scots, so that my eldest son will have it in his power to make over to his brother George 270 *l.*; and I will obtain from another friend as much as, with that, will give George a qualification in Ross shire; and Sir John Gordon is so kind as to give to both my sons qualifications in the shire of Cromertie. This may hereafter be of service: in the mean time it gives them some footing in the country.

463. INTIMATION of the death of LADY ANNE MURRAY, wife of John Murray, M.D., and daughter of GEORGE THIRD EARL OF CROMARTIE.

Charles Town, January 22, 1768.

ON Monday last, the 18th instant, died the right honourable Lady Anne Murray, wife of John Murray, esquire, M.D., and daughter of the right honourable George Earl of Cromertie deceased. Her ladyship was first married to the honourable Edmond Atkin, esquire, superintendant of Indian affairs in the southern district of America, and president of his Majesty's council in this province, who died in 1761.

With all the politeness, ease and dignity of her rank and birth, she possessed a cheerfulness of mind and temper with a sweetness of behaviour that commanded the esteem and love of all. In the more adverse scenes of life, her fortitude and equanimity never forsook her; and her last long and painful illness she bore with that patience and resignation, and met death with that confidence, which nothing but true religion can inspire; leaving a disconsolate husband and relations, with all who had the pleasure of her acquaintance, to regret their loss.

464. HENRY DUNDAS, Advocate, afterwards first Viscount Melville, to
[address wanting].

Edinburgh, 8th August 1770.

MY DEAR LORD,—I desired Mr. Urquhart to let me know the first opportunity of writing to your lordship. He informed [me] this day that he proposed to send some dispatches for you immediately; in consequence of which I trouble your lordship with a few lines to acknowledge the receipt of

yours, and to let you know that Mr. Urquhart has provided what papers may be necessary for consulting with Mr. McQueen about your affair. As the session is short, and the lawyers much hurried during the summer session, I desired Mr. Urquhart to delay laying it before Mr. McQueen till the 12th of August, when the session ends, and when there can be an opportunity of consulting with Mr. McQueen coolly and deliberately; and you shall be advised of the result. I did not know you had an uncle alive.

With regard to the interest of the money, I am afraid we would be ill founded in any squabble with Mr. Moncrieffe, because in whatever way a bond is expressed, it is never understood to imply an obligation of paying interest more than once a year; and when 5 per cent. is got, it is not the custom to pay oftner than once in two years. For these reasons, altho it may at first be a little inconvenient, I am afraid we could make nothing of a complaint for not having your interest paid twice a year.

I have nothing particular to inform you of with regard to friends here. Lady Arniston has been at Auchtertyre these six weeks past, and I understand Lady Augusta is in a good way. I cannot say there is any change upon Charles so remarkable, since I saw you, as can authorise me to say he is materially better. Sir John and Lady Gordon have been here this fourth-night. My lady seems very low upon her sister Nelly's death.

I am, yours sincerely,

HENRY DUNDAS.

465. BRIGADIER-GENERAL JAMES MURRAY, son of Alexander fourth Lord Elibank, to his brother [REAR-ADMIRAL GEORGE MURRAY].

Beauport, 9th July 1774.

DEAR BROTHER,—I got yours of the 29th June yesterday. Sorry am I that there is any disagreement betwixt Lord Elibank and you. I think it is

a matter of indifference who are to be his executors, or who his intimates. His own justice and good sense will direct the disposition of his affairs at the event of his death. I am confident that disposition will do as much honor to his memory as his superior talents and goodness of heart has done to his country. For my part, I am proud of being his brother, and shall ever glory in his friendship ; for I look upon him as the greatest ornament which human nature can boast of.

I am so much afflicted by the misfortune of Dr. Murray's family, I avoid thinking of it as much as possible. What I wrote to you relative to it was no secret, nor did I desire you to conceal it. Lord Elibank cannot be ignorant of so public an event.

I rejoice to hear of Lady Bell's welfare, and that Maria has made such progress. I expected no less, and shall be disappointed if her sister Bell does not equal her in every accomplishment ; for I never saw two more promising young ladies.

As to Peter's obligation, if he meant right, and acted with propriety to me, it would have been left in my own hands. In those of another person, it is no more than an additional affront, for it is a convincing proof that he thinks me capable of distressing him if I had it in my power. For your sake I hope he'll turn out better than I expect he will do. His talents are not cut out for the man of business ; he has an insuperable absence and inattention, with a prone[ne]ss to pleasure. These qualitys are not likely to loose force in the hot, gay, climate of Jamaica.

As you make no mention of a letter I wrote you lately under Elibank's cover, I imagine you did not get it. It is of little consequence, as it contained nothing but my desire to see you in Scotland, where I intended to go if Elibank had not prevented me by his coming here. My departure for Minorca will not be till November. I carry my family with me, and shall stay some years

if health will permit. This command has been confer'd upon me in the most gracious manner by the King, and I am very thankfull for it. If I can be of any use to you or yours there, you will give me pleasure by laying your commands upon me.

I assure you I have no favor to ask of my brother Elibank. I have no children. I am perfectly contented with my situation in life, and therefore cannot interfere with others, who have more need of, and a better right to, a partition of his pecuniary favors. All I crave is his friendship; for that I would sacrifice any thing. Mrs. Murray joins in compliments and love to you all, and I am,

Most affectionately yours,

JA: MURRAY.

466. Thirty-two Letters from ANNE DUCHESS OF BUCCLEUCH AND MONMOUTH
to GEORGE VISCOUNT OF TARBAT and EARL OF CROMARTIE.

466.

Mewse, July 26, *circa* 1686.

I HOPE you will take such car of my busines of the resignation I have made to the King, that it will soon be all don. It was verie readly consented to by his Maiesty, and verie kindly he spok to me, which I do valow verie much, and indeed he has ever shown me much favor in what ever concerns me. I am sure I take as I owght to do. Yow see what you draw upon your self by resaving my letters so patiently, for I wrett now, tho I have nothing of particular to say; since, as for this affair, you will know all befor this coms to your hands. I am,

Your Lordships most humbll servant,

A. B.

For my Lord Tarbatt.

467.

Mews, January 3d, *circa* 1691.

I WAS verie glade to resave your long letter. I am sure few people in the world has so good a frind to bragg off as I have off you. I do verie well like of this farm, becaws I doubt not but that you, whos judgement I rely mor on then my self, has weigh'd all the good and all the bad that can insue to me; only I must desir that non of thos men may be of the number of Tuaddals creatures. You may make an end of the propos'd bargain with my bayly Nairen at Dalkeith, if, as you say, you can not gett a better; and for the farm, I do think the shortest time best, therfor I am not willing to exceed seven years, nor do I know why it may not as well be for that number of years now as it has beene formarly offer'd to be farm'd for by sevrall persons. As for my Lord Tuaddalls great merits to me to induce me to forgive him the intrest of a debt, which his delaying to pay has swell'd to a considrabll summ, I must tell you I never heard of such a way as he has to ask forgivennes either for debts or injurys; for when he was last in England he printed the basest and falcest paper his over grown malice could invent. When I began this allegation I did intend to mention evrie offence he had ever don to me, or my father, or mother, or sister; but when I consider that you know them better then I do, and moreover, all the paper I have in my hous will not hold the full relation of his worthy transactions, I will name but one mor of them, which is his most ridiculous pretending to have sarv'd me or my intrest, as his phrase is. Dos he think I want common sence, that I do not know what his wholl life has bine to me, and indeed to all the world? He needs not thank me for not indevoring to exclud his grandchildren, for it is becaws th[e]y are my fathers nephews and neecess, nor shall his offence mak me unatrall

to my kindred, nor will I be perswaided to live in debt and misirably all my life to pleas him. I owed seventeen thousand pounds sterling when I waint to the Tower, and you must think I long to pay all that debt; and then, by the grace of God, I hope never to have that uneasyness on me again, and ther is not much of it pay'd yit; so if Tuaddall will inake my creditors forgive me, much may be don for him. However, upon his paying me, parhaps I may forgive him some littll matter, but not a penny if he delays anie longer. Pray adviss me what answer I shall give Duke Hamilton, who interseeds for my Lady Rothes, who has only offerd what my Lord Weinys gave; and that refuss'd, desidrd that Duke Hamilton may, with som frind of mine, agree the matter. But my letter is so long, I'll say mor of this in another, only desir you not to interseed for Tuaddall, becaws it will be base in you, for you have more powr then all the world besids with me.

468.

Mews, February 21, [1691.]

THE LETTER I uritt to your lordship on Tuesday last was wrett in such hast I could not be so particular as I would have been, tho I did then tell you what my Lord Melvill say'd conserning the minister of Dalkeith. One Mr. Mein is propos'd to be thair, who, he says, was browght to you. Now, if you think him a fitt person I shall be glade, becaws my sister knows him, and comends him much, as I told you in my last. It is long since my Lord Melville should have spoken to me of this man, but he forgott it. Pray orдор this as well as it can be, for if I may not absulutly chous, I would, however, have the best of the gaung. All thes peple are strangers to me, so I need your assistance the more. Pray, my lord, do somthing to the wood at

Dalkeith park, for now my wonderfull diligent servants begins to desir ther may be som car taken. I uish your Lordship all happiness, and am,

Your humble servant.

For Haick pray chous the best, that they may not be without one.
For my Lord Tarbatt.

469.

London, Aug. 30, *circa* 1691.

YOUR Lordship dos not deall with me in the uswall maner of the worald, for I find you verie ready to pay your own debt to me; but now I begin to find you would have no other person pay me, since you soliciett me for other people. I assur your good lordship this is not a time for me to make compliments in money matters, nor will I give away money in Scotland to rune in debt in England. I am not sorry you have interposed in Colonel Stewarts busines, becaws otherways I must have given an answer to his letter, which may now be given by your lordship. He knows I did, som years since, when in Scotland, inquire into that busines of Mangertuns upon his complaint of being hardly used by my commiseners; but upon that examnition my own story was more dismall then his, for I was verie basely ill served by Mangertun, both as chamberlain and in his disposition of halff of the estate settled on him by my grandfather, which ought all to have been mine. For want of a lad I succeed; if succecion gives me power to clame a just debt, I shall not loose that by simplicity, lest you or any other say, if I had been a lad I had been wisser. Now in good earnest, my lord, I should be verie glad to oblidg Colonel Stewart but will not give so ill a presedent in a time when I am mustring in all debts, and others has full as much reason to demand abeatments as he. I am bound to provid for my own famelly in the first

place. Lett me know when I shall see you here. God presarve you, and send uss a good meeting. Fairwell.

Upon second thoughts I will not put your lordship on beeing the delivrer of my answer to Colonel Steuart, who I sopos would be willing to pay nothing, therfor if you pleas tell him as much of this letter as you think proper, to make him understand Mangerton has made me a great looser, as I have allready sayd, so I will loos no more that way. Will you forgive this long letter? tell me if you do.

470.

Calford, September 5, *circa* 1691. .

YOUR Lordships letter of the 25 of last month was most welcom to me, since it informs me how victoriously wee are com off, so that I doubt not but the Queene will take your word and mine hereafter sooner then your sons false accusers. I was allmost as much consernd for him as your self. Why Seringer dos not inform you of my affairs I can not guess, exceptt it be that he obays me in nothing, for to this hour he has given me no answer of that paper I gave him out of my own hand; and by what I hear, his accounts is not lickly to give you much troubl, for th[e]y are not ready to com to open view. Ther is no doubt but if the chambrlins can not give as good security and as good a bargin evrie way as anie others, wee will not compliment them. I am for ever

Your Lordships most humbll servant,

A. B. C.

MY LORD,—I hope your Lordshipe will pardon my writing on the back-side of my wifes letter to congratulate with you the Master of Tarbats

justification, which I am uery glad of : and now I haue done that, I must giue your Lordshipe an account of your penns. I haue bespöke them, but Gates is a beast, and I could not get them before I came out of town ; but as soone as I goe to town again I will be carefull to see them well made, and send them to you. And now I must come a begging to you for some goff balls, which, if you please to send mee, you will oblige

Your Lordships most humble seruent,

CORNWALLIS.

471.

Mews, Aprill 25, *circa* 1693.

I AM afray'd this letter will be but a sort of a copy of the last I wrett to you, for I concur with you in all you propos ; but of my self, without the assistance of my frinds, I know not how to redress one grivance, for I know not who to propos to be the man to over look my busines, tho I am convinc'd it is nessarey to have one. For adding to the commision I agree it is fitt, and that may soone be don. I [am] sorry for the ill news of Lord Tarrass. As to the adjusting of all my accounts with my son, this will be the proper time ; for the busness is resolvd on all hands consarning the fair lady, and the only one can be to my mind, and which is better, the only one to my sons mind, which maks me resolve to make a better compliment to Jeams then Harry. It is a disadvantage to me that you and my Lord Mellvill are not here. Since I can not hope to see you here, I have wretten to Mr. Grame, to desir him to com up, and pray, my lord, parswaid him to it. I have urett this busines to Lord Mellvill, but I doubt not you will both keep this secret and assist me with your advice. It would be to long to wrett the histrey how this was

begun again. You have been nam'd, but time enough for this when wee meet. I am

Your Lordships most humbll sarvant,

A. B. C.

For my Lord Tarbatt.

472.

Mews, November 7, *circa* 1693.

YOUR Lordship will not take it ill of me that I have been so long without writting, when you saw how sick I was last time I was in this condition; besids, you may have an account of my great affair from other hands. Tho wishing be the vainest thing in the world, I can not forbear often wishing you here when my son is married, which I hope now will soon be. I am

Your Lordships humbll sarvant,



For my Lord Tarbatt.

473

Moorpark, Aug. 19, *circa* 1694.

I WAS never so glade of a letter from you in all my life as of that I received this day of the 1 of this month, tho I find not by it whair you are. I wrett to you long since, but heard nothing till now from you. Belive me thair needs not anie of my own conserns to make your letters acceptable to me, since, for your own sack, I am glade to hear from you, and should be mor so if you gave me hopes of seeing you once againe in this countray. I assur you my minde is not changed towards you, for what begane in my childhood

will not alter in my age, when it was so reasonable as my inclination to you,
to whom I shall ever be a most afecnoat and faithfull freand and servant,

A. B. C.

For my Lord Tarbatt.

474.

Moorpark, Oct. 28, [1694.]

THO a letter taks not much time in wretting, yit this would be a verie longe one if I should sett down all the impertinant intruptions I have hade when just going to wrett to you. You wrett, to my thinking, as if you take something ill of me, els I know not why you say you have adviss'd so much to so litll porposs. I can not guss what you mean by that expresion, for excepting som things that naither you nor I could helpe, I do not know I have don anie thing contrary to your opinion. What has been neglected or ill parform'd by my sarvants is indeed my loss; but how to mend thos faults when I am at this distance, or how to take others, who am a stranger to all, is dificald, or to say proper, imposiball, without my frinds will give them selves the trouble to act for me. I think by your writing, you belive I did not car for your visitts when you wer in England. I ues'd a wrong frais when I sayd wee should wear out of acquaintance, for it seems wee are not yit acquainted; at lest you are not with me, if you think your visitts or advice is not as welcom to me as it is posibll anie bodys alive. I hope my son in time will have a verie good estate here; but, however, Scotland is owr countray, and I should wish uss both thair, but that I have the experiance how p[e]lostell not restord would be resav'd thair. I would say mor of this if you wer now making one of your grivous troblsom visits. This sticks in my stomach still; I wish you here to make me amends, which I can not for this

long letter, but what ever you think, no body living is mor your sarvant or wishes you better then

A. B. C.

My Lord Cornwallis is at London, my two sons are gon a hunting, so I have nothing to say from them ; but for Isabela, she shall be train'd up to love you as her mother did befor she could speak or walk. You have another frind coming, for my daughter Dalkeith is verie near her time to comfort my frind Tuadall in his old age.

For my Lord Tarbatt.

475.

London, Jan. 12, [1695.]

NOT having urett to aney of my frinds since the death of the incomprabll Queen¹ I can not but begin all my letters of this post with lamantations. You know she was kind to me, and besids hade all good qualitys man or woman could have. I am to tell you of my great hapines in the time of this great misforton. My daugh[t]er uas brought to bed of a son yisterday morning.² I belive, for all your kindnes to Lord Tuadall, you will be glade of this. Fair well, my Lord,—it is late for the post. I am

Your Lordships humbll sarvant,

A. B. C.

For my Lord Tarbatt.

¹ This refers to Mary Queen of England, wife of King William the Third, who died on 28th December 1694.

² This refers to the birth of Francis second Duke of Buccleuch, which took place 11th January 1695.

476.

Edinburgh, February the 16th, 1703.

HEARING so much of owr countray mens beeing to return, it was verie naturall for me to inquire of my sister when wee should see your lordship. She tells me you are to provide coach and horses, in order to which she was to return som money to you. I told her I would give Mr. Chalmer ordars to offer one or two hunder pounds to you when you ordar him to paye it, he having som of my English money in his hands. I hope you will have a good journey to this kin[g]dom, wher you will be most wellcom to

Your Lordships most humbll servant,

A. B. C.

477.

Edinburgh, January 18 *circa* 1704.

I HAVE not troubled your lordship of a long time, being taken up with your frind Isabela, who has got the small-pox, but verie well and as merry as ever. I sopose my son told you what I wrett about my nam being in the plott, becaws Captain Fraswr say'd her Grace in a letter to Mak Clowd. Now I should think he was liklyer to wrett of the Duches of Queensbury then me, becaws her lord and Leven was corasponding with him ; but I fear no falce accusations, becaws I do not deserve true ones. I wrett latly to my sister, who I hope keeps her health in your cold lodgens, which yit must stand warmer then either the Wemys or Royston. I am, most affectionatly,

Your Lordship's humbll servant,

A. B. C.

For the Earl of Cromarty.

Edn Feb: y^e 16th 1703

hearing so much of our country
mens being to return, it was
verie naturall for me to inquire
of my sister when wee should
see your Lotth she tells me you are
to provide Coach and Horses in
order to which she was to return
some money to you I told her
I would give m^r Chalmer orders
to offer one or two hundred pounds
to you, when you order him to
pay it, he having some of my
English money in his hand; I hope
you will ^{have} a good journey to this
Kindana wher you will be most
welcome to your L^{ds} most humble
servant *ABH*

478.

Edinburgh, January 23, *circa* 1704.

I HOPE your Lordship will be as good as your word, and wrett till I desir the contrary; but that my ansuers might be mor agreeabll, I wish I wer in a place which did afford some neus, since all publik matters you know better then I do, and privatt are sildom worth knowing. What then shall I make my theme of? To fancy, I dare not trust; that is not good enough to intertain you with. Busines is not verie plesent; if it wer, I would complean of the delays I meet with in my law affirs, tho I have shown great diligence, and have allmost abandoned your Hous of Dalkeith to soliciett for redress and dispatch, two verie precious things. I belive in a short time I shall be glade of any one of them. I am sorry my Lord Clarendon and your lordship meets so sildom, for I ever finds satisfaction in hearing of my frinds being together. I would wrett all Isabellas own words in answer to your constant remembring of her, but it wer to much to be troubled with the child and mother at one time. I am, as I have ever been,

Most humbly your Lordships servant,

A B. C.

479.

Edinburgh, March 16, *circa* 1704.

I HADE a letter this day from my sister, which I hope shortly to answer; but man and wife being all one, it is no great matter to which I give the asswarance of my consern for you both, whos health and happynes I heartily wish. Wee have such various reports about your ploters in England, that wee know not what to make of it; nor of the change of your statmen, which

evrie day nams others then wee heard of the day befor. This sort of varietty is not verie deverting—only when Leven is named,

Whos honesty but som few will suear for,
And not a man of them know wherfor,

as Mr. Heudibrass truely says of his man, if he was lick his lordship. I can say nothing from hence but what you know from better hands, therfor I will trouble your lordship no mor at this time, but that I am ever

Your lordships most humbll servant,

A. B. C.

For the Earl of Cromarty.

480.

Edinburgh, February 8, *circa* 1705.

I AM verie sorry to finde by your Lordships last that my sister is not well. I know when one of you are sick, neither are well. I hope when the spring advances that it will make the time less sickly, but wee must not expectt any such infleuance upon the other grivances. They looke incurabl; but I will say no mor in this strain, lest you should say I wrett alla Melvill. I am still

Your Lordships most humbll servant,

A. B. C.

Isabela returns her thanks and humbll service to my sister and your lordship for your constand re[me]mbrance of her.

481.

Edinburgh, June 29, *circa* 1705.

I AM sorry to hear you have had so great a cold. I shall be here for a few days, and glad to see you wher ever I am. As for W., I have a great deall to

say of him when wec meet. I assur you his vainety, which we uess to speak off, is agmented since his journey to England. Poor Isabela is verie ill of the toothache, but still your humble servant. I am in hast, therfor I can only bid your Lordship fairwell.

A. B. C.

482.

London, August 1st, *circa* 1705.

IN YOUR lordships last you tell me the Duke of Atholl desires to see Dalkeith. Pray, if it is not to late, prevent his going; for should he take that freedom, I know not who can be refused; but if nobody gos, no bodey can take it ill that my hows is locked up, as I did positively order it to be, becaws it is so near Edinburgh that peopl would take the aire that way, if parmitted, which will not be in my time till I go myself; then all shall be welcom who visits me. I have say'd abundence of this,—therfor no more, but wish uss a good meeting, and all happynes to the Earl of Cromertie.

For the Earl of Cromertie att Edinburgh, Scotland.

483.

London, December 2, *circa* 1705.

I AM resolvd no longer to delay puting you in mind that you have a frind who is as much consernd for all that happnes to you as you can be your self. I would not wrett to you sooner for fear of troubling you too early, but by this time I hope your own reason has so far overcom your troubl, that you will not be uneasey to hear your frinds express th[e]ir consern for you, and, amongst them all, I am sure you have not a mor zealous well wisher then

Your most humble servant,

A. B. C.

484.

Sunday morning, [May 1706.]

TOMOROW, at eight in the morning, your good sister will be at Georg Kendalls expecting your honour to go see our litle young Elcho. Now, I having one thing to inform you off, which I am sure you did never know, tho you may have heard it, which is this, time and tide stays for no body; therfor remember eight a klok, and your affecnoat neece and sister.

A. B. C.

485.

London, July 23, *circa* 1708.

YOUR Lordships of the 14 I have received. I must say my Lady Northesk gives you a just reproch, for you had a great strok in this unlucky Union, and ought not to be forgiven till it is made better. Then you shall have a free pardon from all good Scots people. Had I had the second sight, Neirons friends would not have had so much busines to do to prevaint his coming to condigen punishment for his ill service to me, who trusted him, and, to my great losse, som others, who are all of a peece with him in goodnes and honesty—thos too most hidden qualitys; for that they are, I dare say, in beeing still upon earth, but thy obscond to much, and gives opertunity for the opositt faction to prevaiill. Pray speak no more of going north. Fairwell.

To the Earle of Cromartie, at Edinburgh.

486.

Dalkeith, July 28, *circa* 1709.

SINCE you so much dispissed my good advice, it tempts me to upbraid you. I still say four horses are verie dangrous. I, who pretend to be valiant in a

coach, would not ventur so without a postilion ; however, I am heartily glade you wer not more hurt. I shall be verie glade to see you and my Lord Northesk here together, or asunder, or how you pleas. As for my Lord Wemys, I know of no kind letter I wrett to him, or intended it so ; and for his staying here according to his reception, I will tell you, that when he was as welcom here as ever nephew was to aunt, he stay'd so littl with me that I suspect his visitt will be shorter now, which no mortall can wonder at. I wish your Lordship all health and happynes. Isabela is prity well and your humbll servant, so is her mother, I assure you.

Fairwell to your Lordship.

A. B. C.

487.

Dal[keith], September 13, half 5, time and place, [1709.]

I AM glad of the victorie, but as your Lordship dos, so do I, heartily lament the Marquis of Tilibarden. I shall be glad to see you, be it when it will that we meet. Remember Mr. Setton, and never forgett your humbll servant,

A. B. C.

Lett me know when all your busines is over ; then wee must get Preston-hall, and I shall be content.

For the Earl of Cromartie, Edinburgh.

488.

Dalkeith, November 17, *circa* 1710.

I SHALL be extreemly glade to see your lordship in this place when ever you are at leasur to com. My chif busines here since I saw you has been to

make ready a plesent, warm bed chamber for you, which I have at last compased, so you must not disapoint me. For Earl Wemys, he maks me but few visits. Houever, I shall be glad to see him. I wish Leven and his father both better health and more honesty, that this wicked busines may give me no more trouble. I am sure it will not be long befor wee shall see wher the victory will light, both at court and campe ; tho it gos not allways, as Alexander would have leftt the world, to the most deserving. Your Lordship never forgetts your young friend here, who presents her humbl service to you, and wishes you in this place ; and so dos her mother, who is

Your Lordship's most affecnoat humbl servant,



489.

Bath, April 8th, *circa* 1711.

I WRETT this in hopes your lordship is still in London. I shall be quitt undon if I do not find you ther, for my affairs will want your advice. I have really been so ill in health since my coming to this horabll place that I have not been able to wrett to my Lord Royston, tho I have a letter from the comisioners and other papers to answer ; but now I hope to be so soon in town that I may deffer all till I see your lordship. Only one thing I would proposs, and none must know it but Lord Royston, it is this,—the accounts your Lordship and I passed in Scotland might be sent up here to compair with thos Ro[binso]n has given to Grifish, becaws he may have mentiond the sam in thos and thes, as has already been observed ; but if Watt Leng should know of this, my projectt is quitt spoiled, for he is absulutly Robinson's

creatur, and betwxt them som wicked stratagem will be performed to prevaint the bokes beeing brought to London. I know not how it comes about, but what ever wee resolve is known befor it should. Now thes books are in a flatt box by them selves, upon the floor in the charter-room. They could com saffe by the carier, and only Lord Royston and Mr. Innes know of it. A third person surlly revaills it. I wrett as if I deltt only with womon kind, not good at secretts, as men say, but I say it is falc'd. I have not wrett till this day since you heard from me. Excuss my ill hand. If I wer not verie weary I would wrett to Lady Ann and thank her for her good intentions.

I am ever your most humbl



For the Earl of Cromertie.

490.

Moorpark, August 4, *circa* 1711.

I HOPE your Lordship has befor this seen Griff[i]sh, and heard his complaints about thes accounts of Robinson's. He say'd to me he thought his voichers should be sent to Scotland, wher thy may be examened befor the verie people concearned; but if this can not be don, I soposs Mr. William Robinson will consent to keep them, for I can not think it proper Mr. Benjamin Robinson should have papers of such concequence left in his hands till my return to town. Do, I pray you, what is best in this matter, for you know better then I do what should be don. What would I give to find you at London at my return; it would be good for Queen Ann and Dutches Ann, and, for ought I know, manie more. God bliss you and me. Fairwell.

For the Earl of Cromertie.

491.

London, February 27, *circa* 1712.

MY LORD,—I hade yours of the 21, in which you propos Watt Laings coming to London to impaire matters of concearn to me, which I finde he is not desirous to be thought the author off, [for] fear of disobledging the persons concerned, which I belive verie reasonable. Now, pray, consider this,—should he com and discover any thing worth my knowleg, would not evrie body persave by the consequence that he informed me off thos things; but if he wretts to me what is for my service, he can not imagen that I will not keep his counsell as exactly as indeed I am bound to do, both for my own sack and his. I dare say if he depends on me intirly, he will find it both for his proffitt and credit; and as I know he can do me service in my affairs, so you may answer for me that it shall never be to his loss. I find by a letter I had from him he has cawsless fears upon him, as if I would lett Peelbrayhope to Sir Gilberd Elliot, which I have no thought off, as your lordship may assure him. I am longing heartily to see you at Dalkeith, Eastpark, Royston, and Edinbrough. All health and hapynes attend you.

A. B. C.

The Lords of Session will find it difcult to govren my domestick affairs, and make me give bord wadges whithir I will or not, and know nothing of my managment nor family orders.

Since I send Furnall against the land setting, it would do well if Watt Laing will lett me know some of what he says is so much for my good; becaws I may by that means give the fitter instructions to Furnall, and rais less suspition against Laing amongst thos who would be disobledged by his revailling ther misdeeds.

London, March the 20, *circa* 1712.

I THANK your lordship for your congratulation for my new purchass. As to the proposalls of the English men, I think you have not the same notion of it which I have, for, as to the removall of thes old tenants, no body thinks of it, provided thy pay as thy should, which at this time can scarcely be sayd of any, otherways such arrears could never have been, nor I belive ever was, to any but my poor selff. However, you may be sure I shall do nothing contrary to your advice, therfor my friends must be answrabl for all my misdemenes. Since you think Wat Laing may do me service by informing me of matters of consequence, I did ordar Mr. Dongworth to wrett to him to tell him I am willing he should com, providing he coms befor the land setting. I still intend to send Furnall again, for I never saw any body give a more exactt account of what I required then he did; and indeed considring his short stay in Scotland, he knew verie much of the people and placees.

Thus much was wrett when I received yours of the 13, with one from Watt Laing to yourselff, by which I find nò great reason for his coming hithir, becaws he says in that, that he is verie much mistaken if he wrett or spoke any thing that would discover secretts of verie great importence, or the abuses of some persons, or what would do me notabl service. Now, my lord, if his coming hithir will do me no service, why would he com, or why has he pressed it with earnestnes ever since August 1711? I am sure the English had made no proposells then, as your lordship verie well knows. Adieu.

Pray tell Lord Royston I will soon answer his letter, but I have at present worn out my pen and burnt out my candle in writting this long letter to your lordship.

493.

London, August 7, *circa* 1712.

YISTERDAY I had yours of 31 of July. I could wish it wer not necessary for you to take so long a journey north as you speak of, and yit I must own I wish you may make a longer southwards. All the world are for them selves, so I am for me. I have desired Mr. Dongworth to wrett to my Lord Poltoun, that Fanash may pay the money your lordship mentioned concearn- ing Francis being served heir ; for as your infalabll lordship thinks, so do I, that it is by no means fitt for me to aske such a thing of the Queen. I think it verie proper I should have a hows in Edinburgh, and therfor if it be most convenint to you to pay me this way you propos, I shall be verie glad to make a bargin with you, and in order to it I have here inclosed the summe which your bond, I belive, now amounts to. If I had not a very great cold in my head I would wrett to the Lord Royston and Poltoun to treat with the Earl of Cromertie, but they will take your word, if you declair my intention to them, and lett me know your proceedings as soon as you can. I have wrett a long letter considring my cold. I am ever,

Your Lordships humbll servant,

A. B. C.

To the right honorable the Earl of Cromertie, at his house in Edinburgh,
Scotland.

494.

London, October the 2d, 1712.

YOU have so often wrett of your northren journey that I know not in what place you are now in. I would avoid saying any thing I have by this

post wrett to Lord Royston or Poltoun, so that I shall only insitt of what your Lordship was an ear wittnes to in this hows. When befor you, Northesk, and my son De Lorain, with great anger I say'd to Robinson he knew, and durst not deney, that upon his once proposing to lay out a littl of his own money when I was at Dalkeith, I answred I would have non of his money layd out in any of my affairs, to which you remember he answred with humbl submission to me. What I say'd was I would not borrow money of him. He ment it for the best service to me. I will not torment you with more repetition of this dialogue. I can trust the Evergreen's memorie : but when a man owns that he was forbid laying out money for his master, and brings a ballance of seven hunder pounds, which being reproved for, he in a fortnights time brings an increse of that ballanc[e] from seven to sixteen hunder pounds, what is to be say'd in Scotland for this ? Here in England no servant can be allowd for above forty shillans, exceptt he produces an order from his master. My lord, I have so often desired your advice what gratification is fitt for me to give Wat Laing, that I desir your positive ansuer. I think a present reward of money, but not an augmentation of his salary. I am glad you aprove of the finishing of East Park. I am most truly

Your Lordships humbl servant,

A. B. C.

For the Earl of Cromertie, in his absence to my Lord Royston.

London, Jan. 13, *circa* 1713.

I HAVE been hindred thes sevrall posts when sett down to wrett to your lordship. I got Mr. Dongworth to tell you when the depositions wer sent concearning Neirons busines, but now I must complain to you of my lawyers

being so slow in answring of uss as to Robinsons busines. My ill luck in servants, I fear, extends to my frinds, but I am loath to incurag this thought lest it give me the splain, a mallady I yit never have been troubled with. I hope you will assist me and take som ear of me whilst you stay in Scotland, and also that you will answr my question, which you have not yet don, tho asked a hunder times, when comes the Earl of Cromertie to London? Answer, I desir.

A. B. C.

496.

London, May the 17, *circa* 1713.

I SHALL not need to say much to your Lordship now, having verie latly wretten to you, and Mr. Dongworth knowing much better then I do how to exprece evine my own thoughts of this odd decree and most wise judgment of not doubting a man will swear what he will say in some casses. My comfort is that in England no man living ever got his accounts past without sufficient vouchers. I long much to know which of my lawyers worded the queries putt to Sir David—some of the questions most trifling, others not full enough to the porpos. Wer you here, I should say much more then I shall wrett at present. I am

Your Lordships humbl

497.

London, September the 12, 1713.

YOURS of the 1st and 4th I have received. As to this new purchass of Musltoun, I am to be advised by my friends, if it be a fitt bargin I am ready to accepтт of it, but if it is only a fether, as you your selff tearmes it, I

would not give one straw for one fether. Pray speak with Lord Royston, who has a head like his father, and speak with Lord Poltoun, who knows all my settlments on my younger children. Lett him and your Lordship consider if no inconvenience can fall out in regard to thos great somess I have loaded Francis with at my death, for had I not five younger children to provid portions to, I would scearce aske my wiss counsall one question about this purchas; buy it would be the word. But as the cass stands, pray, my lord, consider what your three lordships should advise one, who relays absalutly on your judgments. Lord Poltoun, I am sure, remembers my setlment. Mr. Dongworth wretts by this post to know what I can leagely do with Robert Scott, for turning him away is not sufficent for such a crime. You are to good natured, therefor do not answer me about this your self, but lett som of my more reasonabll frinds say what can be don with him to make his punnishment publick, that people may see I have the utmost dislick to Robinson's ways and all who adhears to him. Pray lett this be ansured soon, but not by the Earl of Cromartie, to whom I am

A most humbll servant,

A. B. C.

Indorsed : D[uches]s Bu[cceleuch], September 1713.

498. SIMON LORD LOVAT to [GEORGE FIRST EARL OF CROMARTIE].

Edinburgh, July 12, *circa* 1711.

MY DEAR LORD,—I am very glad to hear of your lordship's health, which I have constant accounts of from Lieutenant M^eKenzie. Yow are now so long passed the time yow had fixed for your journay, that I am resolved to wreat to your lordship just as if I had never heard of your design to leve London.

My Lord, the reason of my giveing yow this trouble is to recommend a frind of yours and myne to your care. Your lordship will remember that, when you was secretery, the Queen had a designe to have given my Lord Haddo an extraordinary gown : now, my Lord, ther is a gown vacant, and therby hir Majesty has it in hir pouer to make good hir former design to my Lord Haddo ; and I am perswaded that if your lordship wold give your selfe the trouble to goe to Windsor and propose it to hir Majesty, it might take effect. Yow know the man well enough, and can give such a character of him as he deserves ; but he is not unknowen to the Queen, which I hop will make the matter goe the better. It's not fitt for to say anie thing off him, but I beleive this will generally 'be allowed that the gown will hardly be better filled then it wold by him. I thought to have perswaded my Lord Haddo to have wreat himselfe to yow, but he is so doubtfull of success, and so modest and unwilling to give yow trouble, that I took it upon me to doe it for him. I know I need not caution your lordship to take no notice of this project, if it succeed not ; for I have not mentioned it to no person. I am, my dear Lord,

Your lordship's most affectionat cusing and most humble servant,

L.

499. THE SAME to [JOHN NINETEENTH EARL OF SUTHERLAND].

The 19 of January 1716.

MY DEAR LORD,—I humbly beg your lordship may order poor Struy's busines, and give me the protection for the M^cCraes, which will be very usefull and even necessary to hinder Seafort's people from a new rising. I'll wait of your lordship when I have on my cloaths ; but Mrs. Dunbar desires mightily that your lordship would do us all the honor to dine with us. I

know your lordship does not hate the fair sex, and ther is two here that are worth looking on. I hope that will have some effect to perswad your lordship to do us the honour to come and dine with us. I am, with more zeal and respect than I can express, your fathfull slave,

LOVAT.

Indorsed: " Simon Lord Lovat to E. Sutherland, 19 Jany. 1716, inviting
 " him to dine at B. Dunbars house in Inverness, where my wife and
 " sister then was."

500. THE SAME to [JOHN SECOND EARL OF CROMARTIE].

Inverness, the 24 of March 1716.

MY DEAR LORD,—I send you this express to aquant your lordship that I have acted for you as for my brother. I have prevail'd with Major General Wightman to writ for your lordship and for Inchcouter to General Cadogan, that sin[c]e he got no actuall rebellion proven against you, that he might allow him to set you at liberty on bail, or your parole of honor, which is all I could do, or all that the major general could do, if you were our brother; so I hope a litle tyme will end your lordship's confinement. I presume to give my humble duty to your worthy lady. I am glad to have given her ladyship and your lordship such open proofs of my friendship and respect. I diverted the sending regular troops or another officer, because I know Cerr and my men will do what your lordship pleases. I told the general that you order'd me to present him your litle galloway when your horses came to Inverness. Inchcouter is so sensible of my friendship, that he promises to do what he can to accommodat matters betwixt Fraserdale and me, and I belive it will be both our interests to agree in a friendly maner to prevent both our ruins. I

hope your lordship will be a good instrument in that affair, sinc[e] you know how sincerely I am, with affection and great respect, my lord,

Your lordship's most affectionate cusing and most obedient humble servant,

LOVAT.

The war with France is over, and the news about Argyl very uncertain. Some say he stands firm, others that he does not ; tyme will only clear that matter.

501-510. Ten Letters from SIMON LORD LOVAT to [GEORGE THIRD EARL OF CROMARTIE].

501.

Beaufort, 3d July 1739.

MY GOOD LORD,—I had the honour of your lordship's letter this morning, and I am very glad to know by the bearer that your lordship and the Countess of Cromertie and your children are in good health ; and I beg leave to assure your lordship and them of my most affectionate humble duty.

I can very freely assure your lordship that nothing but my long and great indisposition, which is not yet quite over, depriv'd me of the honour of paying my respects to your lordship before now at Castle Leod, and bringing with me the triumphing sword of your great and worthy antecessor, and my great grand uncle, Sir Rory, tutor of Kintail : I have it still ready to go along with me. I did design to cause brush it and dress it up, but I was advis'd by some of your friends and mine to keep it in the old rusty dress it is in till I put it in your lordships hands, which I am fully resolved to do as soon as ever I am able to ride that length in any shape ; for there is nothing I long

My good Lord

I had the honour of your Lordships letter -
this morning, and I am very glad to know by
The bearer, that your Lop. and The Countess
of Cromertie, and your children are in
good health, and I beg leave to assure
your Lop. and them of my most affec-
tionate humble Duty.

I can very freely assure your Lop. that nothing
but my long & great indisposition, which is
not yet quite over, Deprived me of the honour
of paying my respects to your Lordships
before now at Castle Ales, & bringing with
me The Triumphant Sword of your great &
worthy Antcestor, and my great grand uncle

Sir Henry Tutor of Hintail: I have it still
ready to go along with me; I did design to
have brush it and dress it up, but I was advised
by some of your friends and mine to keep it
in the old rusty dress it is in till I put it
in your Lord's hands, which I am fully resolv'd
to do as soon as ever I am able to ride that
length in any shape, for there is nothing I
long more for than to have the honour to see
your Lord. in your own house, for I am
with the utmost esteem and respect

my Good Lord

Your Lord's most
affectionate Cousin,
most obedient, and most
humble servant

Lowest

Beaufort 3^d July
1739

more for than to have the honour to see your lordship in your own house ; for I am, with the utmost esteem and respect, my good Lord,

Your lordship's most affectionate cousin, most obedient and most humble servant,

LOVAT.

502.

Beaufort, 6th July 1739.

MY DEAR LORD,—I am infinitely obliged to your lordship's goodness in designing to come and see me to this little hut, as that would do me a great deall of honour. No man ever made me a visit that would be more welcome, and no correspondence can do me more honour and pleasure than that of living in a particular friendship with your lordship, which I covet extreamly.

My indisposition is not yet quite over, but how soon ever I am able to travel I shall certainly have the honour to pay my most humble duty to your lordship at Castle Leod, and, I hope, prevent your coming here ; for I would be very much asham'd to see you here before I paid my respects to your lordship at your own house.

I beg leave to assure your lordship and the Countess of Cromertie, and all your family at Castle Leod, of my most sincere humble duty ; and I am, with a perfect attachment and respect, my dear lord,

Your lordship's most obedient, most affectionate cousin and most faithfull humble servant,

LOVAT.

503.

Inverness, 18th October 1739.

MY GOOD LORD,—I received the honour of your very civil and kind letter this morning, in my bed, to which I have been confined since Sunday last that

I arriv'd here from Fort Augustus. I got so much cold in the bad lodging that I had there, that it gave me a very sharp aguish fever, with other ailments that have been very troublesome to me. My fever, I bless God, is abated, but not yet gone off; so that I was not able to dictate this letter all day till now that it is about 6 o'clock.

I am heartily sorry that your lordships tenants are so much hurt and harrass'd by those cursed thieves and villains that live or are harbour'd in Glenmoristone, Glengerry, and other thievish countrys.

I know that rogue, Alister Scholar, to be one of the greatest thieves in the Highlands. He has taken four or five parcells of cattle out of my own country within this year and an half, and I have us'd all my endcavours to seise them; but when I sent parties after him, he alwayes made his escape to Turridon in Kenlochow, for he was born and bred in that country, and it would be a very easy matter for Coul and Turridon, who are your lordship's relations as well as mine, to seise the villain and to send him to you. However, I do sincerely promise to your lordship that if that rogue is harbour'd either in Glenmoristone, Glengerrie, Locharrigack, Lochabber, or Brelochabber, I shall have him by the neck and send him to your lordship; for I am fully resolv'd to spend more than the value of the cows or get redress to your lordship. I'll not only employ the serjeants and men of my company that are known in those countrys to go in search of him without loss of time, but I will likewise make use of all the interest I have with Glengerry, Locheil, Barrisdale, and Scothouse, who are the principal gentlemen in those countrys, to cause seise that villain. I will leave no stone unturned to get your lordship full satisfaction of this last insult. But I again presume to beg of your lordship to engage our friends Coul and Turridon to cause seise the villain when he comes to their lands; for you may depend upon it that I'll catch him if he is in Glenmoristone or the West Highlands, or chass him to the

haunts that he us'd to have about Turridon, Kenlochow, and Lochbroom and Coigach, where I have had a party for several weeks after him.

Your lordship may assure your self that nothing can do me greater pleasure than to convince your lordship by my actions of the great honour and value that I have for you ; and as I have the honour to be several wayes related to your lordship's family, I can freely assure you that you have no relation that will be more ready and desirous to serve your lordship's person and family than I shall always be.

Whenever I recover my health so as to be in condition to travel, I shall have the honour to pay my duty to your lordship at Newtarbat ; and you will always find me, with the utmost attachment and respect, my dear Lord,

Your lordship's most obedient, most faithful humble servant, and most affectionate cousin,

LOVAT.

504.

Beaufort, 27th of May 1740.

MY DEAR LORD,—I was much pleas'd with the hopes of having the honour to see your lordship and my worthy friend my Lord Arnistoun and Sir William Gordon in this little hutt, either Fryday, Saturday, or yesterday ; but I am mighty sorry at the account that I got this evening from Braan, that the good Countess of Cromerty was dangerously ill, and that she was threaten'd with an abortion. This makes me presume to send this express to get an account of her ladship's health. I wish with all my soul it may be good.

If I had not expected to have the honour of a visit from your lordship, as Mr. Charles Gordon told me, I woud certainly have had the honour to have paid my duty to you and to my Lord Arnistoun at Castle Leod yesterday or

this day ; for the river of Bewllie has not been so low this year as it has been these few days past.

I beg leave to assure your lordship and the good Countess, and my Lord Arnistoun and Sir William Gordon, of my most sincere and most affectionate humble duty ; and I am, with the utmost esteem and respect, my dear Lord,

Your lordship's most obedient humble servant and most affectionate cousin,

LOVAT.

505.

Beaufort, 2 March 1743.

MY LORD,—I propos'd to myself the honour of waiting of your lordship and the countess when at Castle Leod, but was always prevented, either by want of health, or the swelling of the river, which made it impossible for my chariot to pass : however, as the good season will soon come in, I hope to have the pleasure of paying my compliments to you there, or at Tarbot House.

I hope this letter will find your lordship and the worthy Countess of Cromarty, and good Lady Bell and the other lovely ladys, in perfect health ; and I beg leave to assure your lordship and them of my most sincere and affectionate humble duty, best respects, and good wishes.

I find by my son that my dear Lord M^cLeod is at Edinburgh. They correspond together, which I am very glad of.

As your lordship has more patronages in your family than any man in the north, it must subject you to the sollicitations of those who think they have any interest with you in favours of their friends when any of the parishes to which you are patron fall vacant. And as I flatter myself with having some share of your lordship's friendship, I hope you will forgive my giving you the trouble of this, to begg of you to present Mr. Donald Fraser to suc[c]eed Mr. Robertson in the parish of Killearnan.

He has liv'd for a considerable time in my family, taking care of my children, and from what I know of his conduct, and the character I have of his qualifications for the ministry from the most judicious of the clergy of this countrey, I have reason to beleive he will draw no reflection on any body who contributes to his settlement: and as he lived for some time in that parish, I am persuaded he will be very agreeable to the people.

Your lordship has certainly heard of the persecution he met with from some of the presbetry of Tain; but as the charge against him was found groundless, and he fully assoilzied by the highest judicatory of the church, I hope any malicious reports that were at that time dilligently propagated against him will have no weight with your lordship, as they were chiefly calculate to dissappoint his being settl'd in a parish in which he had a vast majority of the residing heretors and people.

This I rather hope will determine your lordship to befriend him, and I dare venture to promise upon his gratitude.

I should make a great many apologies for giving your lordship this trouble; but I hope you will forgive my being importunate for my kinsman, who has been very usefull to me in the care of my children, and whom I can reecomend as a downright honest man. And as I am patron myself of six or seven different parishes, if ever I have the opportunity, I shall be extreanly ready to return a favour of this kind to any body your lordship shall reecomend to me. And if in any thing else I can serve your lordship, you will always find me as ready as any relation you have whatever. And I intreat your lordship may beleive that I am, with uncommon esteem, attaehment and respect, my dear earl,

Your lordship's most obedient and most faithfull humble servant and
most affectionate cousine,

LOVAT.

506.

Beaufort, 8 July 1743.

MY DEAR EARL,—I hope this will find your lordship and the worthy Countess of Cromerty and my dear Lord M^cLeod and Lady Bell, and all the noble family in perfect health; and I beg leave to assure your lordship and them of my most affectionate humble duty, best respects, and good wishes, in which Clunie and his wife join me.

I thank God my daughter was safely brought to bed, and is pretty well recovered after giving a pretty young daughter to Clunie.

I am very much asham'd for not making a return to your lordship's kind letter of the 4th of March last, in which you are so good as to profess your willingness to oblige me by presenting Mr. Donald Fraser, provided he had the majority of the parish of Killearnan. The only excuse I can make for the delay of acknowledging a favour I was very sensible of, is, that as your lordship referr'd the choice of a minister to the parish, I cou'd not learn what their sentiments were before now. This is but a bad appologie, since this letter must thank you for one favour, and sollicite you for another; for now that Red Castle, elder and younger, and Kilcoy have fix'd on my friend, and that I understand the kirk session and almost all the commons of the parish are for him, I hope your lordship will put the head sheaf on the affair, and give him your presentation, and not suffer your right to fall to the presbetry, who, you know, do not always make the best use of power when it comes into their hands.

I have sent my son to pay his most humble duty to your lordship, to the countess, and to all the family, and to entreat of his cousin and friend, my Lord M^cLeod, to join him in solliciting your lordship to grant him and me the favour I humbly ask in favours of my son's tutor; and which I hope your

lordship will in your goodness grant us, since I can freely assure your lordship that you have not a friend or relation in Scotland that has a greater honour and value for you than I have. And your lordship may be fully perswaded that, wherein I can be of use to you, or to any of yours in any shape, your lordship may most freely command me, and you will always find me ready, willing, and faithfull to serve you ; for I sincerely am, with a very uncommon esteem, zeall, and respect, my dear earl,

Your lordship's most obedient, most obliged, and most faithfull humble servant, and most affectionate cousin,

LOVAT.

507.

Beaufort, 14 September 1743.

MY DEAR EARL,—I hope this will find your lordship and the worthy Countess of Cromerty, and my dear Lord M^cLeod and lovely Lady Bell, and all the pretty family in perfect health ; and I begg leave to assure your lordship and them, with all my soul, of my most affectionate humble duty, best respects and good wishes, in which my son joins me.

I have been so very anxious these severall days past to hear from your lordship, that I cou'd not longer delay sending this express to know how you do, and how your journey to the Highlands went on.

My secretary will tell you how handsomely I have been used by the Earl of Murray. He promised to him at Braan to come and see me as he went by ; but, like a man of great honour, he slighted me. However, my comfort is that it was a fool that has no manners that did so ; but I did not think that he woud faill in his word, since I have the honour to be his relation, and very nearly related to his countess. But he came by ten o'clock, Saturday morning, to my corfhouse, and not daring to cross the foord in his coach, he

took a small fishing coble and cross'd in it, with the countess and the ladys that were with her, and sent his coach by the foord, which had almost been drown'd, and his horses, for there was above a foot of water in the coach, and the windows open. I wish with all my soul the earl had been in the coach, and only the ladys in the coble. When he was coming off from Braan, he desird his principall servant to come and tell me that he was to dine with me; but when he cross'd the river, he sent the same servant to tell me that he cou'd not come to dine with me, because he behoov'd to be that night at M^cIntoshe's house. I own if it had been a man of sense and manners that had sent me this message, I wou'd have been much more surprized and astonish'd at it than I was: however, I told my mind very freely to his gentleman or principall servant, and desir'd him to tell his master that I was very easy about the earl's visite, but that I was very sory that I had not the honour and pleasure to see his countess, who is my near relation, and a very pretty woman. I told him that when his master was James Stuart, son to Mr. Francis Stewart, that he did not think it amiss to stay three or four nights with me, but it seemd his great honours had chang'd his manners: however, that he might tell him that neither his father, nor his uncle, nor grandfather wou'd have gone by my house, after staying a fortnight in the neighbourhood: that I think myself as good a man as he is, and that I represent as good a family as his, which has done more and better services to our kings and country than ever his did; that I bless God I had an estate that afforded me as good meat and drink as his lordship had; and I thankd God I had no dependance upon him, nor upon any belonging to him; and as he had no regard for me, I wou'd have none for him; and that if I liv'd to go to Murray, I wou'd go of purpose to the gate of Darnaway and come out of my chariot and go in again, without sending as much as a how do ye do to the great Earl of Murray, or to his great house of Darnaway.

I desird the servant not to conceall a word from his master of what I said to him ; and I afterwards orderd my secretary to entertain the Earl's servant with the best things that were in the house, which he did. So there is an end of my commerce with the great Earl of Murray : and if he challenges me for the severe things that I desired his principall servant to tell him, I am ready to answer him in any shape.

I had a letter yesterday from the laird of M^cLeod, and I expect him here in 8 days. He wrote to me from Mogstot, Sir Alexander M^cDonald's house, where he was very happy with Lady Margaret, and much wearied, as he said, killing muirfowl for the greening lady.

I had a letter from the laird of Locheil by last post, who is at Edinburgh all this winter, and he tells me that they expect great news there very soon : God grant it may be for the good of our country and our friends.

I shall be mighty fond to have the honour and vast pleasure to have your lordship and the worthy countess, and my dear Lord M^cLeod and Lady Bell in this little house for some days, where I solemnly declare that your lordship and they will be as wellcome as at Tarbot-house or Castle Leod, and I shall do all in my power to divert you ; for I sincerely protest that except your own children there is not a Mackenzie alive that has a greater honour and value for your lordship than I have ; and that you will find me, while there is breath in me, with the highest esteem, inviolable attachment, and uncommon respect, my very dear earl,

Your lordship's most obedient, most obliged and most faithful humble
servant, and most affectionate cousin,

LOVAT.

508.

Beaufort, 4 October 1743.

MY VERY DEAR EARL,—I hope this will find your lordship and the worthy Countes of Cromerty and all your lovely childreen in perfect health, particular my dear Lord M^cLeod and Lady Bell. This is what I wish from my heart, as much as any relation you have in Scotland, and I beg live to assure your lordship and them of my affectionate humble duty, best respects and good wishes, in which my son and daughter, Cluny's wife, joine me. She is in very good health, but my son has been ill of a fever these twelve days past. Doctor Fraser waited one him, laid blood of him, and gave him twice phisick.

Tho the unmannerly f . . l, the Earl of Murray, neglected, which I supose he wishes he had not done, for his principall servant told him every word that I wrote to your lordship, which my Lord President told me,—my other friends did not follow his lordship's impertinant example ; for the Earl of Morton came to see me in a most civil, discreet manner. He viewd the situation of this place, and then examin'd Adam's plan of my house and the modell that is made upon it, and gave me his opinion of every [thing], as he is a good architect. After him, my Lord President did me the honour to come and see me ; and some days thereafter, my Lord Gerless, my Lord Seaforth, Lady Fanny, and ane other lady came here from Braan, and severall other gentlemen, so that we were a great company, and very merry. I will make your lordship laugh very hearty when I see you and tell you my Lord Gerless' opinion of his son in law.

M^cLeod came here last week, and stay'd but one night. He went to Inverness, Culloden, and M^cIntosh about the head Barron Court which is to hold at Inverness this day. He wrote to me from Inverness yesterday that he is to come here to morrow with the Laird of M^cIntosh and his Lady and

sister, and severall other gentlemen; and they are to stay with me the whole week.

I hope and earnestly wish that your lordship may remember your promise in being so good as to do me the honour as to come and see me here with the good Countes, dear Lord M^eLeod, and Lady Bell, which I shall always acknowledge a most singular honour and favour done me. Any time that is most convenient to your lordship, after Sunday next, will be most agreeable to me, and no man alive will be more welcomer to this little hut then your lordship and your family.

My Lord Stair's resignation makes a terrible noise every where; and the maltreatment that he has mett with has not only incensed the British troops, but most people in Scotland. So, as the President said to me, God knows what will come of us, for we are in a dangerous situation. I pray God preserve our poor countrey and relive it from distress.

I beg your lordship may belive that, in all situations of life, you'll always find me, with the sincerest attachment and respect, my dearest earl,

Your lordship's most obedient and most faithfull humble servant and
most affectionate cousine,

LOVAT.

509.

Beaufort, 7 October 1743.

MY DEAR EARL,—I received the honour of your lordship's letter by the bearer. I'm sorry to know that your lordship is any ways indisposd, and wish with all my soul that your recovery may be very speedy and good, and that you may live more years than your grandfather did, in perfect health and prosperity, for the good of your noble and charming family, and for the satisfaction and comfort of your friends and neighbours. I can not express the

concern I am in by your lordship's telling me that I cannot expect the honour and vast pleasure of having your lordship and the worthy Countess of Cromerty, and my dear Lord M^cLeod, and my dear Lady Bell, in this little hutt before you go to Tarbot-house : for the season is coming on now so very cold, that I despair of seeing the worthy countess here this year, tho I can sincerely assure your lordship that no family in Scotland cou'd give me so much joy and pleasure as the honour of entertaining your lordship and your charming family in this little house wou'd do. But tho the Countess cannot come, I hope your lordship and my dear Lord M^cLeod will do me the honour to come and see me, since there is no lord in Scotland that honours and loves you more than I do.

It was very unlucky that the laird of M^cLeod trysted with the laird of M^cIntosh and the Lady, and all their cavalcade, here on Wedensday ; and since that time my house has been so full, that, tho I thank God I have plenty of good meat and drink, yet I have not beds enough for all my company, altho there are fourteen beds in the house. I wish with all my soul that they had made their tryst at some other time, since it has deprived me of the vast honour and pleasure of having the lovely family of Cromerty here.

I must now tell you, my dear earl, that your son, my Lord M^cLeod, was not better pleas'd than I was when I got account of your victory at Dingwall. May you always triumph in that country : I am sure you deserve to do so better than any Mackenzie alive : and I am sure you'll always have my heart wishes, and if my hands and my clann cou'd be of use to you, you may always most freely command them : for I am, with the outmost esteem, attachment, and respect, my dear earl,

Your lordship's most obedient and most obliged humble servant, and
most affectionate cousin,

LOVAT.

P.S.—My son has had a fever that begun this day fortnight ; but I thank God he is pretty well recovered, and he and my daughter join with me in assuring you and the worthy Countess of Cromerty, and my dear Lord M^cLeod, and my dear Lady Bell, of our most affectionate humble duty and best respects.

The laird of M^cLeod and the laird of M^cIntosh, and all the company in this house, drink your lordship's health and your lovely families at every meale ; and that health shall never be forgot by me as long as I live.

I am glad that my dear friend, the young laird of Fowlis, waited upon your lordship as he ought.

M^cLeod and M^cIntosh offer their most humble compliments to your lordship and the worthy countess and all the lovely family.

510.

Beaufort, 22d November 1743.

MY VERY DEAR EARL,—Your going away from me in such a bad day makes me so uneasy that I have presum'd to send this express to enquire after your lordship's health, and your safe arrival at Tarbot house. I wish from my soul that this letter may find your lordship and the worthy Countess, and my dear Lady Bell, and all the rest of the ladys, and my dear pretty Mr. George in perfect health ; and I beg leave to assure your lordship, and the good Countess, and all the rest of the noble, lovely family of my most affectionate humble duty, best respects, and good wishes, in which my son joins me. And I can frankly tell your lordship, without any compliment or flattery, that there is not a man on earth admires more your singular great merits than I do, nor no man more attachd to your lordship's person and family than I am.

Invercauld and Dunie and the doctor stay'd with me all night, and the doctor was never so defeat in his life. He was terribly sick all night, but some glasses of burnt brandy and Stoughton cur'd him this morning.

Your lordship's health was the health of the night and of the day. The laird of Invercauld, who is really a pretty youth, is gone to Aberdeenshyre fully freighted and charm'd with your lordship's most agreeable conversation.

I give your lordship much joy of the Earl of Murray's defeat, and of the victory that the Rosses have obtaind over him. When your lordship sees our friends the Rosses, I humbly beg that you wou'd let them know that Lovat, your lordship's ally and theirs, partakes very much with them in the joy of their victory over one of their greatest enemies.

I beg, my dear lord, you will pardon this freedom, and beleive that I ever am, infinitely more than I can express, with the highest esteem, attachment, and respect, my very dear earl,

Your lordship's most obedient and most obliged faithfull humble servant
and most affectionate cousin,

LOVAT.

P.S.—I have two long letters from M^cLeod and from Lochéil, by this post. They both write to me that the nation is in a very great ferment, and that there are great changes expected in England and in Scotland. God preserve our friends, and releive our country from oppression and slavery.

Adieu, mon tres cher Comte.

511. SIMON LORD LOVAT to [ISABELLA COUNTESS OF GEORGE THIRD EARL OF CROMARTIE].

Beaufort, 26 November 1743.

GOOD WORTHY COUNTESS,—I never was in such a consternation in my life as when the servant that I sent to Tarbot-house to enquire after my dearest

earl's health and your ladyship's and the children's return'd, and that the account he brought me was that my dear earl was at the point of death at Dingwall on Wedensday, and that your ladyship, being acquainted by express, was oblig'd to come at one or two o'clock on Thursday morning to Dingwall. This I do assure you, dear madam, has afflicted me beyond what I can express, or can be imagin'd : for there is not a man on earth that I have a greater regard for than for the worthy Earl of Cromerty ; and his falling ill immediately after he went from my house is a double affliction to me. I pray God Almighty restore him to perfect health, for your ladyship's comfort and children's, and for the satisfaction and support of his friends.

I was mightily pleas'd when my runner told me that your ladyship's brother, Dr. Gordon, had come to wait upon the earl ; and I sent a message to Doctor Fraser that he might go and wait upon the earl, if he was in condition, for I heard that he was indispos'd himself.

As my anxiety will be intolerable till I hear how the earl is, I have beg'd of his brother, Captain Hugh, who has been here these three or four days, to go and see my lord, and to let me know the state of his health : and I earnestly entreat of your ladyship to engage your brother, the Doctor, to whom I give my most humble service, to let me know how my lord is, since he can give the truest account of him.

I beg your ladyship a thousand pardons for this freedome, and I offer your ladyship and my dearest earl and all the family my most affectionate humble duty, best respects and good wishes : and I am, with the highest esteem and respect, good worthy Countess,

Your Ladyship's most obedient and most obliged humble servant
and most affectionate cousin,

LOVAT.

P.S.—My son, who is going south next week, went to Ardmianach yesterday to take leave of his aunt and of the Laird and Lady Ardoch. I am sure he will be mightily concern'd when he hears of the earl's indisposition.

512. Nine Letters from SIMON LORD LOVAT to [GEORGE THIRD EARL OF CROMARTIE].

Beaufort, 28 November 1743.

MY DEAREST EARL,—Since I had the use of reason, I never received two letters that gave me so much joy, so much pleasure, and so much comfort, as the two letters that I had the honour to receive from your lordship this day, much about the same time, by your servant and my own. As my fears and concern were beyond expression when I was acquainted of your lordship's illness, so, I thank God, my satisfaction and joy are now complete in finding your lordship recover'd out of that dangerous lowness of spirits that attack'd you : and I wish from my heart and soul that your lordship may be restor'd to perfect health, and live at least for as many years as your grandfather did. I do assure you, my dear Earl, that I wish this as much as I do my own health and life ; and I wish I may have no life the day that I am not faithfully attach'd to your lordship's person and interest.

I am not at all surpriz'd that the worthy Countess shou'd be not only fatigu'd but out of order, considering her riding in the midle of the night, with so much sorrow and anxiety, from Tarbot House to Dingwal. I pray God preserve her Ladyship and you for many years together in perfect health : for as I beleive you the handsomest couple in the world, so I beleive you the happiest by the mutuall love you have for one another, which must make the marriage bed comfortable. My own misfortune makes me admire this the more.

My son is not yet come home from Ardmianach. I design to send him of this week for St. Andrews. I am sure he will be much overjoyd to know that the brave Earl of Cromorty, whom he loves and honours so much, is recover'd; for I am pretty sure he will obey my positive orders (next to a curse) that I gave him to be faithfull to the Earl of Cromerty all his life.

I beg leave to assure your lordship and the good worthy Countess and dear Lady Bell and her sisters, and pretty Mr. George, of my most affectionate humble duty, best respects and good wishes: and I am, while there is breath in me, with more zeal, attachment, and respect than I can express, my dearest earl,

Your lordship's most obedient, most obliged, and most faithfull humble servant and most affectionate cousin,

LOVAT.

P.S.—Dr. Fraser of Auchnagavin has been here these two days. I sent for him of purpose that I might send him immediately off to see your lordship, if my servant had brought me account that you continu'd ill. He is overjoyd at your lordship's recovery, and begs of me, as do my trustees, Thomas Fraser of Gortuleg, and Evan Baillie of Aberiachan, to offer your lordship their most humble duty, and to assure you of their great joy for your lordship's recovery.

I have settld with Applecross the debt that he was owing me; and, of 10,000 merks, I have given him down 2000, which is more than Seaforth wou'd do to all his kindred,—nay, to all the creation. This shou'd attach Applecross's family to me, as they are my very near relations. But there is little gratitude to be expected from some people.

If I get anything extraordinary by the post, I shall run an express to acquaint you of it.

Doctor Fraser told me, and so did Applecross, that your lordship complain'd of the bad wine that you drank at Dingwall before you came here ; and the doctor thinks, that if your lordship drunk of that wine when you went back to Dingwall, that it was the plain cause of your sickness ; for he says the wine that your lordship drunk here was as wholesome as any wine in Scotland. The doctor is as hail and well as ever he was, and ready for another engagement.

I have a cough and a great heavy load of cold upon me since the day that you went from this. I beleive what gave it me was standing in the open air for some time when your lordship took your horse ; for it was a very ugly windy surly day, which I am perswaded did likeways hurt your lordship. I am now entirely confind to my own room till I get free of this cold. I have taken a vomite for it, and the doctor says I must take three more before I am rid of it. However, I am extreamly easy at this, since I have the news of your lordship's recovery.

I have now kept your lordships servant till the post is come on in hopes to get some good news to send you ; but as to great foreign news I must refer your lordship to the prints. A particular friend of mine wrote to me by this post, that in a post or two he hopd to send me good news. As soon as I receive them I shall acquaint your lordship.

513.

Beaufort, 14 June 1744.

MY VERY DEAR EARL,—There was nothing in the world could have kept me so long from enquiring after your lordship's health and the worthy Countess of Cromerty's, and my dear Lord M^cLeod's and Lady Bell's, and all the most lovely familie's, but a most terrible violent and dangerous sickness that

I have had for about six moneths, and that I am not yet rid of. I despair'd of my own life for above three moneths, as did every body that saw me : but when the violence of the cough and fever went off, I began to have some hopes. Yet I continu'd still so weak, that it is within these eight or ten days that I could walk up and down my own room. Doctor Fraser attended me closs for the first four moneths, when I was so dangerously ill ; and from the first week that I fell ill till now, I had Doctor Clerk's opinion every post from Edinburgh, for I was resolved to have, at any expense, what was thought proper for my recovery.

I bless God I think now that I am in some measure out of danger, tho' my health is still very often in disorder.

I frequently enquir'd after your lordship's health at people that I judg'd might know it. They told me that your lordship had been very ill a good time ago, but that you was recover'd : but what gave me exceeding great joy and satisfaction was a letter I had from my cousin M^cLeod, when he waited on your lordship last. He assur'd me that your lordship was in very good health, and all the family, and that you was so good as to desire him make me your compliments.

I do assure you, my dearest earl, that nothing of that kind under the sun can give me greater pleasure than to know that your lordship, and the worthy Countess of Cromerty, and your most lovely family are in perfect health, and in a flourishing condition ; and that your lordship and I, and our sons after us, shoud live in great and strict friendship together. I am sure it shall be the earnest wish and desire of my life, and no power or any consideration will ever alter me from that resolution. I humbly begg leave to assure your lordship and the worthy Countess, and all your charming family, of my most affectionate humble duty, sincerest respects and good wishes.

Whenever I am able to travel so far, I will certainly have the honour to

pay my most humble duty to your lordship whither you are at your seat of Tarbothouse, or Castle Leod; and while there is breath in me, I shall remain, with the highest esteem, most uncommon and faithfull attachment, and with the outmost zeal and respect, my dearest Earl,

Your Lordship's most obedient, most obliged and most faithfull humble servant and most affectionate cousin,

LOVAT.

514.

Beaufort, 9th January 1745.

MY DEAREST EARL,—I cannot really express how much I have been mortified and concerned these severall months past, for being deprived of the honor and vast pleasure of paying my most sincere humble duty to your lordship, and to my good freind the worthy Countess of Cromarty, and to my dear Lord MacLeod, and to my dear Lady Bell, and all the rest of the charming family at Castle Leod. But the speat has been so continuall in the river of Beaulie since harvest last, and swell'd so high, that if it was to save my life I could not pass the river with my chariot, and I have not been able to ride so far these two or three years past: so I hope, my dear earl, you will forgive my not waiting of you long before now, for I had nothing more at heart, if I had been able to perform the journey.

Allow me now, my dearest earl, in the begining of this new year, to asure your lordship and the worthy Countess of Cromarty, and all your most lovely family, of my most humble, most affectionate, and everlasting respects. May God preserve your person, and the worthy Countess of Cromarty, in perfect health, and with all manner of prosperity, untill at least you see your great grandchilderen, which you may doe, without being so old as your great grandfather, who retained his vast judgement and reason to his dying hour.

As I sincerely have a greater esteem and attachment for your lordship then I have for any other peer in Scotland, you may freely beleive that my best wishes to your person and family will only end with my last breath : and I pray God from my heart and soul, that the Lord M^cLeod and my eldest son may live in the same affectionate freindship that your lordship and I does, as long as they have blood in them.

I beleive your lordship will be as much surprized as I am at the great changes above. I wrote to my cusine M^cLeod of them, and I will presume to repeat the words that I wrote him here—[“ As to the changes, my dear cusine, you that are in the secret, as the Lyon writes to me, may understand them ; but they are as incomprehensible to me as the greatest misstries of nature and religion. However, as to myself, if the world should go upside down, and that most of those that were honest men last year should turn knaves this year, I am resolved, by God’s assistance, to mantain and preserve my integrity, and that nothing will shake or disturb my principals till the conflagration.”]

I have private letters that tell me that several persons think that there is some thing under these changes that tend to produce greater changes : however, a little time will clear up that affair. God Almighty preserve our country, and restore it to its antient libertys and riches.

As soon as ever I can pass this river, and the river of Conin, I shall certainly do my self the honour to pay my most humble duty to your lordship, and to the good Countess and all your charming family at Castle Leod. As that is the visit in the world that I have most at heart, it shall be the first, God willing, that I shall pay : and your lordship shall find me in all situations of life, with a very uncommon esteem, attachment, and respect, my dearest Earl,

Your lordship’s most obedient, most oblidged, most faithfull humble servant,
and most affectionate cusine,

LOVAT.

P.S.—My daughter and Doctor Fraser of Achnagairn, who is with me here, desire me to offer the complements of the season to your lordship and to the good Countess, and all your lovely family at Castle Leod.

515.

Beaufort, 4th February 1745.

MY DEAR EARL,—I do not beleive that, since the deluge, there was such a storm of snow upon the strath of the Aird. It was seldom or ever seen that there was above a foot deep of snow upon the plain strath; but now it is two, three, and four foot deep, and in some places six, seven, and eight foot deep. In short, it is imposible for me to describe to your lordship how deep this storm is in many places in this country, and what bad effects it has already had, and what dismall effects most people beleive it will have over all the Highlands of Scotland.

The cattle in this country has suffered a great deal already, and are like to perish; for they have not gone out of their stalls these twelve days past, as much as to water, nether horse, cow, sheep, or goat; but the people are forced to carry the water to them. In short, the situation of this country is so dismall that it cannot be expressed. I hope God in his mercy will put ane end to this unheard of storm, which is so severe, crewell and intense, that if it continues any time, it must destroy man and beast; and a great many of the people are sick with it already.

This makes me mighty anxious to know how your lordship and my worthy freind the good Countess of Cromarty are, and my dear Lord M^cLeod and Lady Bell, and all the rest of your lordship's charming family; and my uneasiness about your healths oblidges me to send this express, to know how your lordship and the worthy Countess, and all your lovely children

docs; and I wish, from my heart and soul, I may get good accounts of you, for I wish your healths as sincerely well as I do my own, and the prosperity of your family, as I do that of the family of Lovat. And I hope in God that your lordship's offspring and mine shall live together in the same affectionate freindship that your lordship and I doe.

I bless God I have kept my health better this winter and harvest, notwithstanding of the excessive bad weather, than I have done these thirty years past; and I have the use of my limbs better then I have had these three years past.

I attribute, under divine providence, this good state of health that I am in to my takeing the cold bath every day, which I have constantly done, notwithstanding of the great storm and the intense frost.

I beg leave to asure your lordship and the worthy Countess of Cromarty, and my dear Lord M^cLeod and Lady Bell, and all your lovely children, of my most affectionate humble duty, sincere respects, and good wishes.

Your friend Doctor Fraser and my cusine Gortuleg, who are here, beg leave to offer your lordship their most humble complements. We have the honour to drink every day your lordship's health and the worthy Countess of Cromarty, and all the rest of your charming family at Castle Leod; and I am, while there is life in me, with unalterable zeal, esteem and attachment, my very dear Earl,

Your lordship's most obedient, most oblidged faithfull, humble servant
and most affectionate cusine,

LOVAT.

P.S.—My cusine M^cLeod writes to me that tho he is upon the spot at London, he knows nothing of the politicks. But I find by his letter and the Lyon's that the court is in great confusion; and I hope that out of that con-

fusion there will come a comfortable good order, which I wish ardently for the good of my poor country that is like to perish.

I had a roe sent me this morning, which was the only venison I receiv'd since the new year. I presume to send it to my worthy freind the Countess of Cromarty, and I wish she may find it good venison ; and I beg her Ladyship's pardon for the liberty I take in sending it.

516.

Beaufort, 25th Aprile 1745.

MY VERY DEAR EARL,—It was only yesterday that I got the certain accounts from my cousin, Captain Mackenzie, Aplecross' brother, that the worthy Countess of Cromerty was safely brought to bed of a daughter.

I have sent a young gentleman that stays with me, Fraser of Bouchrabin, to make my most humble compliments of congratulation to your lordship on the safe and happy delivery of the worthy Countess of Cromerty, whom I honor and respect beyond all the counteses in Scotland ; and I wish your lordship joy, with all my heart, of this new infant, as ane additionall beauty to your lordship's lovely family. It is certain that your lordship's family is already the most beautifull in the King's dominions : I pray God preserve them for your lordship's comfort and satisfaction, and for that of the good Countess.

As soon as ever I can cross the river with my chariot, I shall have the honor to pay my duty to your lordship and to the worthy Countess, when I hear she is recovered ; for I can freely assure your lordship there is not a man in Scotland that loves your lordship's person and lovely family more sincerely than I do, and that my attachment to you will be always unalterable.

I am informed that my Lord Streichen and my Lord Drumore will be in this little house Twesday next, which will oblige me to wait upon them at

Inverness, if they stay two or three days there. I hear from M^cLeod every week. He writes me that they are all in a terrible jumble at Court, and in the administration, and that our affairs abroad have a bad aspect. Notwithstanding of that, I hope to bring your lordship good news when I have the honor to pay my respects to you.

I have the honor to drink your lordship's health and the worthy Countess, and all the lovely family, every day I rise. My daughter Sibie is gone to Cluny to attend her sister, who is very near her time. I did design to bring her to pay her respects to the worthy Countess, which, God willing, she will have the honor to doe when she comes back from Badenoch. I truly am, infinitely more then I can express, with a very uncommon esteem and respect, and with ane unalterable attachment, my very dear Earl,

Your lordship's most obedient, most oblidged, and most faithfull humble servant, and most affectionate cousin,

LOVAT.

517.

Beaufort, 30 Aprile 1745.

MY DEAR EARL,—The occasion of my giveing your lordship this trouble is to sollicite you in favours of Redcastle, in an affair that I am perswaded your lordship will reckon a piece of common equity and justice, as well as I do.

I am told there is a year and a half's vacant stipends due by the heretors of Killiernan in your lordship's gift. Now, the favour I take the liberty to ask of your lordship is, that you would please grant Redcastle a gift of his own proportion of these vacant stipends, to assist him in building his proportion of the kirk, and to repair two publick bridges in that parish that are ruinous.

Your lordship knows the situation of his family. He is by his real rent and valuation little more than the half of the parish, but he pays thrice more of the stipend than the other two gentlemen : and, considering there is such an unequal division of the stipend, I am perswaded your lordship will think it most equitable that Redcastle, who is very much burden'd yearly in the teind, should not be burden'd in building the kirk for them, but that each shou'd rather get a gift of his own stipend seperately.

My Lord President, my Lord Drummore and his son, my Lord Reay's son, Sir Arthur Forbes, with several other gentlemen, did me the honour to come and dine here yesterday. I gave them as good a dinner as this country can afford, and I had very good wine. They were all very hearty and merry, and stayed till it was pretty late. I had the honour to drink your lordship's health, and the worthy Countess's, but no word of your neighbour to his advantage. They all seem'd to have a great regard for your lordship.

I intend to go to Inverness to-morrow and pay my respects to them ; and I do expect that, after their business is over, my cousin, my Lord Strichen, will come and stay a night here with me ; and when they are away, I am fully determin'd, if the river be passable, to go and pay my most humble duty to your lordship and to the good countess, if I hear that her ladyship is sitting up.

I begg leave to make my most dutifull compliments to your lordship, to the worthy countess, and to my dear Lord McLeod and my dear Lady Bell, and to the rest of the most lovely family : and I am, with an uncommon esteem and unalterable respect, much more than I can express, my very dear earl,

Your lordship's most obedient, most obliged, and most faithfull, humble servant and most affectionate cousin,

LOVAT.

518.

Beaufort, June 22d, 1745.

MY DEAREST EARL,—I presume to send this express to know how your lordship does, and the worthy Countess of Cromerty, and all the charming delightfull family. I pray God I may have good accounts of your lordship's health; for I am truly affraid that your sitting up the night I was at Castle Leod has hurt it, and I will not be easie till I know that your lordship is perfectly well: and it is with my heart and soul that I beg leave to asure your lordship, the worthy Countess of Cromerty, and my dear Lord MacLeod, and my dear Lady Bell and Lady Mary, and all the rest of the charming lovely family, of my most affectionate humble duty, best respects and good wishes. And I can freely say that your lordship's family is the earl's or lord's family in Brittain that I respect and love most; and my sincere and affectionate attachment for your lordship and your family cannot end but with my life. And after I am gone, I shall leave it, as a strong article of my last will and instructions to my son, to live in a most strict and affectionate freindship with your lordship and your son and family: and I am fully perswaded he will obey my commands, and live in the same affectionate and freindly manner with your lordship, with your son and family, that I do: and if he does not, I wish he may not have a faithfull freind on earth, and that is a strong curse.

When ever he and his brother come from St. Andrews, which will be about the begining of next month, after they are a few days here, I shall send them to pay their duty to your lordship and to the worthy Countess of Cromerty, and to all the most lovely family at Tarbat-house.

I will live in hopes to see your lordship in this little house before I go south, which wou'd be very comfortable to me; and I can freely say that your lordship will be as wellcome here as in any house in Brittain, except your

lordship's own houses. And I am sure that I will never see a man, of whatever quality, that I love and honor more then my dear Earl of Cromerty; for I truely am, infinitely more then I can express, with unalterable esteem, sincere attachment and respect, my dearest Earl,

Your lordship's most obedient, most oblidged, and most faithfull humble servant and most affectionate cousin,

LOVAT.

P.S.—As I am a bottle of wine of the Cape of Good Hope in the worthy Countess debt, I presume to send two bottles by the bearer of the same wine to pay that debt. The only favour I ask, is, that my dear little angell and freind George may have a glass of it when it's a drinking. I have presumed to write a letter to him by the bearer, that requires no answer.

519.

October 17th, 1745.

MY DEAREST EARL,—I received this moment, with inexpressable pleasure, the honor of your lordship's letter by the bearer; and it gives me the greatest joy to know that your lordship and my good freind, the worthy Countess of Cromerty, and my dear Lord M^cLeod and my dear Lady Bell, and all the rest of the lovely family, are in perfect good health.

I wish from my heart and soul you may all long continue so; and I beg leave, in the sincerest manner, to asure your lordship, the worthy Countess of Cromerty, and my dear Lord M^cLeod, and my dear Lady Bell, and all the rest of the charming family, of my most constant and humble duty, sincerest respects and best wishes, in which my son and Gortuleg joins me.

I do sincerely asure your lordship that nothing hindred me but my heavey indisposition and tormenting pains, from being at Tarbathouse to have the

My Dearest Carl

My son has taken a military freak he is going whether I will or not with all the name of Trafer that are fitt for it to join the Adventuring Prince.

You may be sure my Dear Carl that must affect me because my son is the hope of my family and the Darling of my soul. I pray God always to send him safe back and that neither he nor father that goes with him may do any thing that may be disadvantageable to them selves or to their family.

October 17th
= 1745

LOVAT

EXTRACT FROM LETTER OF SIMON LORD LOVAT,
TO GEORGE THIRD EARL OF CROMARTIE, 17TH OCTR. 1745.

honor and comfort to pay my humble duty to your lordship, the worthy Countyss of Cromerty, my dear Lord M^cLeod and Lady Bell, and to the rest of the charming family. I was so very bad that I thought I wou'd never recover ; but I thank God I am now in very good health of body, but I have intyrelly lost the use of my limbs, for I can neither walk nor mount a horse back, which is a very melancholy situation, considering the confusion the country is in, and when any man in health of body and limbs might have occasion to serve his king and his country.

I am exceeding glad to know that your lordship is pleased with my son. He has a vast respect for your lordship, and for all the family of Cromerty. He loves dear Lord M^cLeod as he loves himself, and was much vexed that he did not see him ; but I hope they will soon see one another.

My son has taken a military freak : he is going, whether I will or not, with all the name of Fraser that are fitt for it, to join the adventureing Prince. You may be sure, my dearest earl, this must affect me, because my son is the hope of my family, and the darelind of my soul. I pray God Almighty send him safe back, and that neither he nor any that goes with him may do anything that may be dishonorable to themselves or to their family.

I conclude this letter, my dearest earl, with solemnly protesting to you, upon honor and conscience, that I don't beleive that there is a man upon earth that has a more affectionate attachment and respect for your lordship's person and family then I have ; and, while there is life in me, I shall be always ready to serve your lordship and my dear Lord M^cLeod in any shape I am capable off. And I can asure you that my son is fully as fond of your lordship and of my dear Lord M^cLeod as I am ; and I hope we shall never differ in politicks, which now divids the world, for I am very sure we both love our king and country, and I hope we shall see things go on as we wou'd wish. There is nothing I long more for then a conversation with your lord-

ship ; and I beg you wou'd honor my little hutt with your presence and company, if it was but for one night : for I am as much as any man alive, with unalterable zeal, esteem, and respect, my dearest Earl,

Your lordship's most obedient, most obliged and most affectionate, faithfull,
humble servant and most affectionate cousin,

LOVAT.

520.

Beaufort, 26 October 1745.

MY DEAREST EARL,—I hope this will find your lordship and my dear Lord MacLeod in perfect health, after your last night's merriment at Brahan. And I beg leave to assure your lordship and my dear Lord MacLeod, and honest Glastullich, if he is with you, of my most humble and affectionate respects and best wishes.

There is a gentleman of consequence here just come from the south : he has a desire to pay his respects to your lordship, but does not well know where to find your lordship. This obliges me to trouble you with this line, to beg your lordship to let me know where you will be to morrow, or to morrow's night, that this gentleman may have an opportunity of waiting of you. I am perswaded that your lordship will be well pleas'd to see him, and to hear the accountts he has of your friends.

I ever am, with unalterable zeal attachment and respect, my dearest Earl,

Your most obedient and most obliged, faithful, humble servant and
most affectionate cousin,

LOVAT.

THE CROMARTIE CHARTERS,

FROM A.D. 1257.

521. CONFIRMATION by POPE ALEXANDER THE FOURTH, of certain Ecclesiastical Statutes regulating the Constitution and Endowments of the Cathedral Church of Ross, 11th June 1257.

ALEXANDER episcopus, seruus seruorum Dei, venerabili fratri episcopo et dilectis nostris filiis decano et capitulo Rossensibus salutem et apostolicam benedictionem. Cum a nobis petitur quod iustum est et honestum, tam uigor equitatis quam ordo exigit rationis ut id per sollicitudinem officii nostri ad debitum perducatur effectum. Sane vniuersitatis uestre petitio nobis exhibita continebat quod felicitis recordacionis Gregorius papa predecessor noster augmentandi in ecclesia uestra prebendas tenues, et de nouo ibidem, prout expedire uideret, prebendas alias ordinandi, aliqua ordinatione contraria non obstante, bone memorie Roberto episcopo Rossensi predecessori tuo, frater episcopo, concessit per litteras apostolicas facultatem: Verum licet idem episcopus in augmentatione antiquarum et creatione seu ordinatione aliarum prebendarum auctoritate litterarum huiusmodi processisset, quia tamen in ordinatione sua de decanatu, precentoria, cancellaria, thesauraria, archidiaconatu, et aliis prebendis eidem ecclesie simplicibus in generali faciens mencionem, non expressit quid cui prebende assignatum fuerit, uel debuerit pertinere, tu ordinationem ipsius episcopi, tam ipsarum litterarum auctoritate, sicut poteras, quam propria in aliquibus supplens, et in aliquibus corrigens et augmentans, deliberatione prehabita, proinde ordinando decanatu, cantorie, cancellarie, ac thesaurarie communiter omnes decimas garbarum de Rosmarakyn et de Crumbathyn, pro equis portionibus inter ipsos diuidendas diuissim: uero decanatu omnes decimas garbarum de Arderosseir et alteragium, saluis episcopalibus, et omnes decimas garbarum de Kelmurch Australi exceptis garbis dimidie dauach de Aley: et cantorie omnes decimas garbarum de Kelmurch et

de Tharuedale : cancellarie autem omnes decimas garbarum de Suthy et de Kenneythes : thesaurarie quoque omnes decimas garbarum de Vrecharde et de Logibride : archidiaconatui insuper omnes decimas garbarum de Fortherdy et de Edirdore, exceptis garbis unius dauach de Aleyn : ac subdecanatui omnes decimas garbarum de Thayn et de Edirthayn : succentorie uero ecclesiam de Bron et omnes decimas garbarum Inueraferan : Prebende autem episcopi omnes decimas garbarum ecclesiarum de Nig et de Tharberth : et omnes decimas garbarum de Clone et de Lempnelar uni prebende : insuper omnes decimas garbarum de Roskwin et de Newich similiter alii prebende ; ac omnes decimas garbarum de Awach prebende Abbatis de Kinlos Cisterciensis ordinis qui pro tempore fuerit, cum in eadem ecclesia unam prebendam obtineat, assignasti : quatuor vicariis personarum alteragia de Rosmarkyn et de Crumbathyn sine omni onere episcopali. Ita tamen quod utrique ecclesie honeste deseruiatur perpetuo : ecclesias uero omnes de Ergayethl, cum uacauerint, communi canonicorum perpetuo deputando. Preterea statuisti quod maior decanus, sicuti in Saluberiensi ecclesia, eligatur et inducatur ad aliquam quatuor dignitatum, sed nec ad subdecanatum, nec ad succentoriam admittatur, nisi sacerdos existat : archidiaconus uero sic diaconus nec ad aliquam prebendam simplicem priusquam recipiatur, nisi fuerit in sacris ordinibus constitutus. Adieciisti etiam statuto huiusmodi quod nullus installetur in choro sepefate ecclesie priusquam iuramentum presterit de residentia continua facienda ibidem, nisi peregre proficiscatur, uel in scolis steterit, aut alia honesta causa de licencia episcopi ad certum tempus eius absenciam excusabit. Et quod subdecanus vicarium diaconum, et succentor vicarium subdiaconum, episcopus uero nomine prebende sue perpetuum vicarium sacerdotem, cuius stipendiis sex marcas sterlingorum percipiendas in alteragio de Ford . . . annis singulis deputasti, et archidiaconus perpetuum vicarium sacerdotem habeat in ecclesia memorata. Quelibet uero simplex prebenda vicarium habeat subdiaconum, cui suus dominus pro quo in ipsa ecclesia ministrat capam nigram et superpellicium largiatur ; vicarii uero perpetui singuli superpellicia et capas nigras propriis sumptibus sibi ipsis acquirant. Porro tam canonici quam vicarii, si necesse habeant ab ecclesia, infra diocesan suam uel extra, pro suis promouendis negociis proficisci, et ultra unius diei spacium moram trahere, a decano uel subdecano seu eorum uices gerentibus licenciam postulent sibi dari : duobus tamen vicariis insimul abesse non liceat, nisi urgens causa et euident id exposcat. Siquis uero vicariorum tam perpetuorum quam simplicium ultra triduum ab ecclesia moram fecerit absque causa rationabili, vicariis residentibus certam pecunie quantitatem exoluat ; et ipsius crescente mora, pena ei pecuniaria grauior infligatur. Si autem residens canonicis horis non interfuerit in ecclesia, nulla eum causa rationabili excusante, a subdecano debeat

subici discipline. Excessus canonicorum ab episcopo, et vicariorum a decano, uel subdecano, uel ab eorum uices gerentibus corrigantur : in quorum vicariorum correctione si dicti decanus et subdecanus inuenti fuerint negligentes nimium uel remissi, statuisti super eisdem excessibus correctionem ad episcopum pertinere, uel si ad episcopum ex aliqua iusta causa fuerit appellatum. Verum siquis de canonicorum familiaribus cuiquam infra canoniam forfecerit sine sanguinis effusione, uel etiam alicuius membri mutilatione, de excessu huiusmodi coram canonicis in capitulo cognoscatur ; et de forifaculo episcopo satisfiat. Insuper statuisti et adiectione firmasti ut omnes canonici ante ipsorum installationem, similiter ac vicarii perpetui, priusquam ad vicariam aliquam perpetuam in eadem ecclesia admittantur, prestent de celandis secretis capituli que quidem poterunt sine peccato celari, et seruandis ecclesie constitutionibus : quodque prestabunt episcopo suo ad reuocanda debite et sedulo consilium et auxilium iuramentum. Statuisti etiam ut singulis diebus, per aliquem quem preceutor uel ipsius uicem gerens semel in ebdomada ad hoc duxerit ordinandum, missa pro defunctis, et specialiter pro episcopis loci, et uniuersis ecclesie benefactoribus, celebretur ; et quod omnes mansiones canonicorum, cum uacauerint, excepta dumtaxat mansione decani, ad episcopi collationem pertineant, ita tamen quod canonicis conferantur ; aliis omnibus articulis in predicti predecessoris tui ordinatione contentis, de quibus in tua huiusmodi ordinatione fit mentio, in suo robore duraturis, prout in litteris exinde confectis tuo atque uestro communi, fili, capitulum, qui huiusmodi ordinationi uestrum prestitistis assensum, sigillis munitis, plenius dicitur contineri. Nos itaque uestris precibus inclinati, ordinationem huiusmodi, sicut proinde facta est, ratam habentes et grata, illam auctoritate apostolica confirmamus, et presentis scripti patrocinio commuimus. Nulli ergo omnino hominum liceat hanc paginam nostre confirmationis infringere, vel ei ausu temerario contraire. Siquis autem hoc attemptare presumpserit, indignationem omnipotentis Dei, et beatorum Petri et Pauli apostolorum eius, se noverit incursurum.

Datum Viterbii iii Idus Junii, pontificatus nostri anno tertio.

522. TRANSUMPT (made 7th April 1511) OF CHARTER by WILLIAM EARL OF ROSS to ADAM of URQUHART, of the land of Incherury. 30th September 1338.

OMNIBUS hanc cartam visuris vel auditoris, Willelmus comes de Ross, filius et heres quondam domini Hugonis comitis de Ross, salutem in Cristo sempiternam : Sciaut presentes et futuri nos dedisse, concessisse et hac presenti carta nostra confirmasse dilecto et benemerito nostro Ade de Vrquhartt, filio Willelmi de Vrquhart, pro homagio et

fideli seruicio suo nobis impenso et in futurum impendendo, totam terram de Incherury in Rossia cum pertinentiis suis : Tenendam et habendam predicto Ade et heredibus suis de nobis et heredibus nostris in feodo et hereditate per omnes metas suas et rectas diuisas, in boscis, in planis, moris, maresiis, aquis et stagnis, viis et semitis, in pratis, pascuis et pasturis, in venacionibus, aucupacionibus et piscariis, cum incolis et natiuis eiusdem terre, cum molendinis et brasinis, cum curiis, placitis et querelis, et cum omninodis aliis libertatibus, commoditatibus, aisiamentis ad dictam terram nunc spectantibus seu quomodolibet spectare valentibus in futurum, adeo libere, quiete, plenarie et honorifice sicut aliquis comes vel dominus in regno Scotie aliquem liberetenentem liberius, quietius vel honorificentius siue pleuius poterit infeodare : Reddendo inde per annum dictus Adam et heredes sui nobis et heredibus nostris vnum denarium striuelingorum nomine albe firme ad festum Penthecostes apud Incherury, si petatur ; et faciendo tres sectas ad curiam nostram de Kunardy singulis annis ad tria placita capitalia, vnacum forinseco seruicio domini nostri Regis quantum ad predictam terram pertinet, pro omni alio onere, seruicio, auxilio, consuetudine vel seculari exactione : Nos vero Willelmus comes de Ross antedictus et heredes nostri predictam terram de Incherury, cum pertinentiis suis omnibus et singulis, Keddetolle, Scilutt, et omnibus aliis, unacum libertatibus et commoditatibus supradictis, predicto Ade de Vrquhart et heredibus suis pro homagio suo et seruicio supradictis, et pro firma pretaxata, vt premissum est, contra omnes mortales warantizabimus, acquietabimus et perpetualiter defendemus : In cuius rei testimonium presenti carte nostre sigillum nostrum apposuimus, coram hiis testibus, venerabili patre iu Cristo domino Rogero Dei gratia episcopo Rossensi, et domino Marco eadem gratia abbate de Noua Ferina, domino Oliuero de Sancto Claro milite, domino Thoma de Lichtoun canonico Morauienti, Johanne de Berclay, magistro Johanne Oliuer, et multis aliis clericis et laicis : Actum apud Dingwale, in crastino sancti Michaelis Archangeli, anno Domini nostri Jhesu Cristi millesimo tricentesimo tricesimo octauo.

Hec est vera copia dicte carte originalis iu presentia dominorum consilii supremi domini nostri Regis pro tribunali sedentium producta, cum originali in omnibus concordans, nil addito aut diminuto quod effectum immutet, vel substantiam variaret, de mandato et decreto eorundem dominorum copiata, collationata et in hanc publicam transsumpti formam redacta, sic quod talis et tanta fides presenti transsumpto in iudicio et extra de cetero adhiberetur qualis et quanta huiusmodi carte originali sic transumpte adhibenda est, premitus edicto publico ut est moris in talibus rite precedente, necnon omnibus interesse habentibus ad certos diem et locum in valuis pretorii citatis vocatisque, et non comparentibus : Per me magistrum Gawinum Dunbar, archidiaconum

Sancti Audree, clericum rotulorum registri ac consilii prelibati supremi domini nostri Regis, sub meis signo et subscriptione manualibus. Apud Edinburgh, septimo die mensis Aprilis, anno Domini millesimo quingentesimo vndecimo.

GAWINUS DUNBAR.

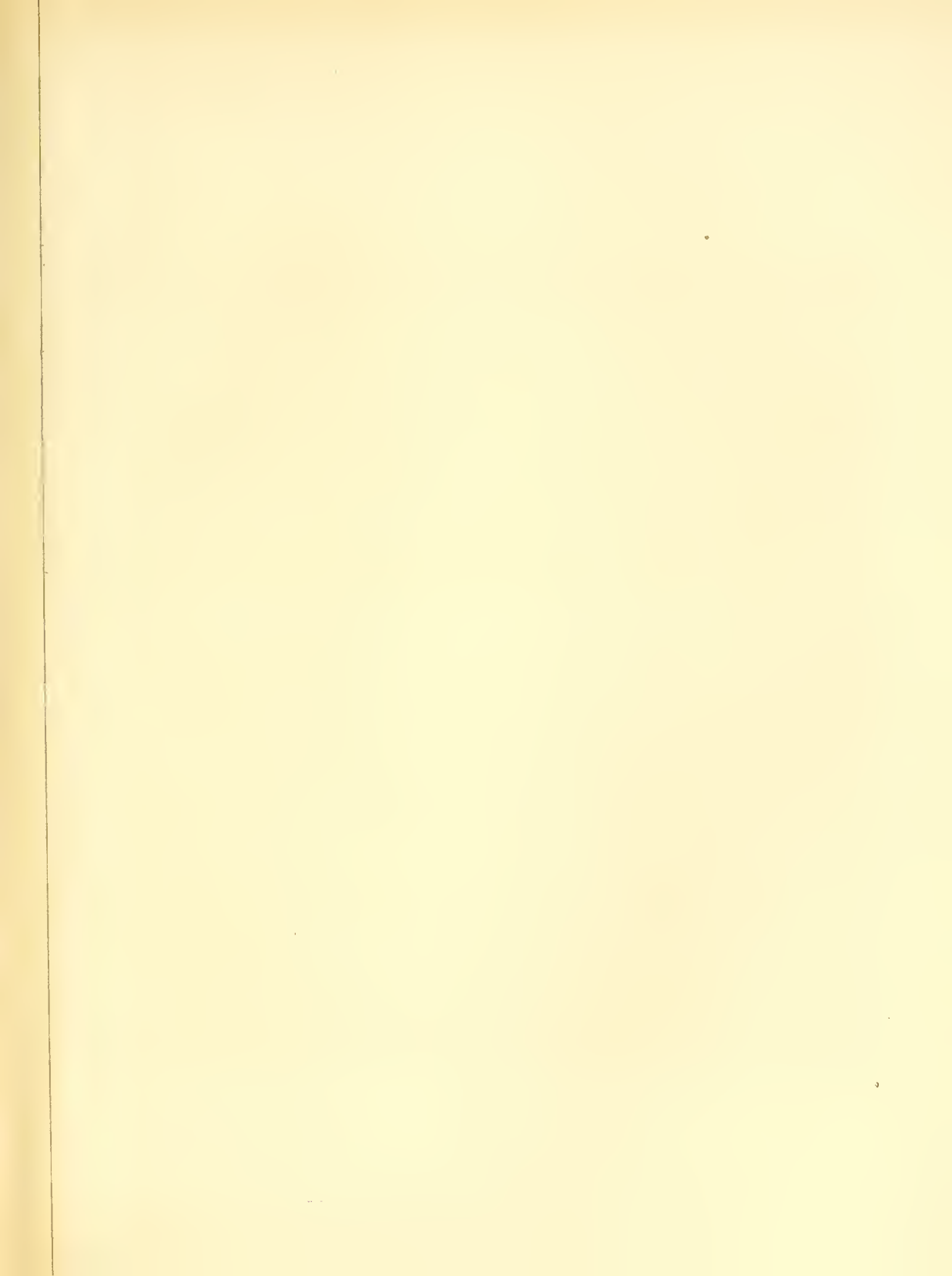
523. CHARTER by ADAM OF URQUHART to the CHAPLAIN OF INCHERURIE, of certain Annualrents and Lands. 18th Feb. 1348. [From old Copy.]

OMNIBUS hoc scriptum visuris uel auditoris, Adam de Vrquhart dominus de Incherore et vicecomes de Crommerty, eternam in Domino salutem : Sciant presentes et futuri me dedisse, concessisse, et hoc presenti scripto meo confirmasse Deo omnipotenti et beatissime Marie ac vni capellano diuina perpetuo celebranti in capella beatissime Marie de Inchrone pro animabus Willelmi comitis de Ross et parentum suorum ac pro anima mea et animabus parentum meorum omniumque fidelium defunctorum, quinque mercas annui redditus annuatim et imperpetuum leuandas et percipiendas de terra de Incherore ad duos anni terminos, videlicet, duas mercas cum dimedia ad [festum] pentecostes et duas mercas cum dimedia ad festum sancti Martini in hyeme ; vnacum quadam crofta terre que dicitur crofta brachine jaceutis in territorio de Inchrone inter croftam Ochierin ex parte boriali et pratum ex parte australi, et cum vna area et loco aptis in willa de Inchrone pro vno sufficienti manso predicti capellani, ac cum pastura sufficienti pro vno equo duodecimque vaccis et vno tauro ac pro octuaginta ouibus in dicta terra de Incherore : et concessi dicto capellano qui pro tempore ibidem fuerit vsum habendi focale infra prefatam terram de Inchrone in moris et boscis, ac montibus et planis, absque contradictione uel impedimento cuiuscunque : Tenendas et habendas predictas quinque mercas annui redditus vnacum crofta prenominata, manso et pastura, ac vsu habendi focale, ut plenius supradictum est, de me et heredibus meis, Deo omnipotenti, beatissime Marie et vni capellano, ut premittitur, in puram et perpetuam elemosinam cum pertinentiis ad dictam croftam nunc spectantibus uel spectare valentibus in futurum ; adeo libere, quiete, plenarie et honorifice sicut aliquis annuus redditus et terra ecclesiastica elemosinata in regno Scocie liberius, quicquid, plenius et honorificencius tenetur aut possidetur : Saluo michi et heribus meis jure patronatus et presentacionis de capellano instituendo in dictam capellam quando et quoties iuste vacauerit. Pro quibus quidem quinque mercis annuatim et perpetuo leuandis ad terminos predictos, fateor me et heredes meos obligatos esse ad compellendum quociens per capellanum qui pro tempore ibidem fuerit super hoc legitime fuero uel fuerint requisiti : Et si contingat, quod absit, quod ego aut aliquis heredum

meorum dictas quinque mercas annui redditus, croftam, mansum uel pasturam supradictam in toto uel in parte in vsus nostros proprios reuocare uel ad alium vsum quam superius ordinatum est conuertere attemptauimus, uel aliquid aliud fecerimus per quod officium dicte capelle minui poterit seu impediri, obligo me et heredes meos jurisdictioni et cohibicioni episcopi Rossensis qui pro tempore fuerit, cuius interest elemosinas infra diocesim suam manutenere et defendere, ut possit me et heredes meos per omnem censuram ecclesiasticam compellere, donec prefatam donacionem, concessionem et confirmationem premissam in forma prescripta per omnia seruauerim uel seruauerint illis : Ego vero Adam de Vrquhard antedictus [et] heredes mei dictas quinque mercas annui redditus, vnacum crofta, manso et pastura prenominitis, ut predictum est, ac cum vsu habendi focale, predictae capelle beate Marie et capellano qui inibi ex mea presentatione et heredum meorum fuerit, ut premissum est, contra omnes homines et feminas varantizabimus, acquietabimus et imperpetuum defendemus : In cuius rei testimonium presenti carte sigillum meum apposui, hiis testibus, venerabili patre in Cristo domino Donaldo abbate Noue Ferine, Hugone de Rossia, Johanne Yonge, Thoma fratre suo, et Johanne Clerico burgensibus de Dingvall, et multis aliis clericis et laicis : Datum apud Lulcaldrum, xviii^o die Februarii, anno gracie millesimo trecentesimo quadragesimo octauo.

524. CONFIRMATION by KING ROBERT THE SECOND of Grant by WILLIAM EARL OF ROSS to HUGH HARPER, of the land of Inchefure. 8th April 1371.

ROBERTUS Dei gratia Rex Scottorum, omnibus probis hominibus tocus terre sue, salutem : Sciatis nos dedisse, concessisse et hac presenti carta nostra confirmasse donacionem illam et concessionem quas Willelmus comes de Ross carissimus consanguineus noster fecit fideli nostro Hugoni Harper de terra de Inchefure cum pertinenciis iacente infra terram suam dominicalem de Delgeny infra comitatum de Ross : Tenendam et habendam totam et integram terram predictam cum pertinenciis prefato Hugoni et heredibus suis de dicto comite et heredibus suis in feodo et hereditate imperpetuum, per omnes rectas metas et diuisas suas antiquas, in moris, maresiis, pratis, pascuis et pasturis, aquis, stagnis et riualis, ac cum omnibus aliis libertatibus, commoditatibus et aysiamentis ad predictam terram cum pertinentiis spectantibus seu aliquo modo spectare valentibus in futurum : adeo libere et quiete, plenarie, integre et honorifice, in omnibus et per omnia, sicut carta predicti comitis inde dicto Hugoni confecta plenius in se continet et proportat : In cuius rei testimonium presenti carte nostre confirmationis sigillum nos-



Robertus dei gra Rex Scottorum Omnibus prohis
presenti carta nostra confirmasse donacionem illam et concessione
nostro Ingomar hays de tra de Indefino cu pnteris varones
Gued et hns totam et integram quam pntem in pnteris
de et hereditate pntem pnteris terras metas et dms suas
et tenementis ac cu omibz aliis libralibz comoditatibz (animo
tans valentibz infirmitatibus libo et omnes plenam integram
de Ingoni confecta plenius in se continet et potest
in pntem pntem apponit. Testibus venerabilibus in xpo pntibus
Johs primogenitus nro cōto de Dant et Genealo de
Villmo cōto de Douglas Johs de Dant canonicus
distinctionibus carissimis consanguineis nris apud

omnis totius tpo suo. Saltem. Satis nos dedisse concessisse & hac /
cessionis quas Willms comes de Ross capssiml confirmans in fecit fidei
tento in tiam suam dominicalem de Delgeny in comitatu de Ross
pmeis prefato Ingom & tediis suis de de coto & tediis suis in feo
sua antiquas. In moris manens pratis papis & papuio agnis flagnis
confirmans ad pteam tiam cum pmeis spectantibz seu aliquo modo spec
tantez & honorifico in omibz & p omnia dicit carta pte cotois modo
portat. In cui per testimonium prefata carta in confirmacoe sigillum
pape Willmo & Patricio sci andreo & Grechmes ecclesie Epro
ille ocois filio mo capssimo. Robto senescr coto de flis & de geneher
mo & lassden cancellaro mo. Archebaldo de Douglas & Robto de
apud Edinburg. octavo die mensis aprilis. Anno regni mo odo

trum precepimus apponi : Testibus, venerabilibus in Christo patribus Willelmo et Patricio Sancti Andree et Brechinensis ecclesiarum episcopis, Johanne primogenito nostro comite de Carrik et senescallo Scochie, filio nostro carissimo, Roberto Senescallo comite de Fyf et de Menethet, Willelmo comite de Douglas, Johanne de Carrik canonico Glasguensi, cancellario nostro, Archebaldo de Douglas et Roberto de Erskyne, militibus, carissimis consanguineis nostris : Apud Edynburgh, octauo die mensis Aprilis, anno regni nostri secundo.

525. TRANSUMPT (made 30th May 1395) OF A CHARTER by EUPHEMIA COUNTESS OF ROSS, to JOHN COMYNE, of the Lands of Pollane, etc. 14th March 1381.

IN Dei nomine amen : anno a natiuitate eiusdem millesimo tricentesimo nonagesimo quinto secundum computacionem ecclesie Scotticane, mensis Maii die penultimo, hora quasi nona, indiccione secunda, pontificatus sanctissimi in Christo patris ac domini nostri, domini Benedicti pape terciidecimi anno primo, in ecclesia parochiali de Innerugy pertinente Aberdonensi dyocesi, Johannes Comyne dominus medie partis de Kyndrocht personaliter constitutus in testium subscriptorum presencia mihi notario publico infrascripto quamdam cartam sigillatam sigillo Eufemie comitisse Rossie more solito inpendente, vt mihi prima facie apparebat, non rasam, non abolitam, nec in aliqua sui parte viciatam, copiandam exhibuit, formam et tenorem qui sequitur continentem :

OMNIBUS hanc cartam visuris vel auditoris, Eufemia comitissa de Ross, filia et heres quondam Willelmi comitis de Ross, salutem in Domino sempiternam : Noneritis nos in pura et simplici viduitate nostra existentes, dedisse, concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro Johanni Comyne, pro homagio et seruicio nobis impensis, totam danatam terrarum de Pollane cum omnibus suis iustis pertinentiis, cum Estirseton cum molendino et brasina eiusdem loci et eorum sequelis ex antiqua consuetudine debitis, cum Wilk Croft, et cum communi pastura infra d[ominicalem terram] nostram de Delgny et cum Parkhill, Rowynis et Fortre, infra vicecomitatum de Inuernyss : Tenendas et habendas omnes predictas terras cum pertinentiis prefato Johanni et heredibus suis in feodo et hereditate imperpetuum, de nobis et heredibus nostris, cum incolis et natiuis earundem, in boscis, planis, moris et marresiis, cum aquis et aquarum piscariis . . . cum aucupacionibus et venacionibus, cum pratis, pascenis et pasturis, cum molen-
dinis, brasinis, pistrinis, et fabrinis, et eorum sequelis : ac cum omnibus aliis libertatibus [commoditatibus] et aysiamendis, ac ceteris pertinenciis suis quibuscunque ad dictas terras

spectantibus seu spectare valentibus quomodolibet in futurum, tam non nominatis quam nominatis, [tam sub] terra quam supra terram : adeo libere, quiete, bene et in pace, sicut aliqua terra infra regnum Scocie dari poterit vel alienari. Reddendo inde dictus Johannes et heredes [sui] nobis et heredibus nostris annuatim tres sectas ad tres curias nostras capitales tenendas apud Kynardy infra vicecomitatum de Inuernyss supradictum, pro omni alio seruicio seculari [exac]cione seu demanda que de dictis terris cum pertinentiis aliquid exigi poterunt vel requiri : Et nos prefata Eufamia et heredes nostri totas terras predictas cum pertinentiis predicto Johanni et heredibus suis, vt supradictum est, contra omnes mortales warandizabimus, acquietabimus et inperpetuum defendemus : In cuius rei testimonium huic presenti carte nostre sigillum nostrum fecimus apponi, apud Dynguale, die Mercurii decimo quarto die mensis Marcii anno Domini millesimo trecentesimo octogesimo primo : Hiis testibus, reuerendo in Christo patre Alexandro episcopo Rossensi, magistro Willelmo de Dynguale decano eiusdem, Adam abbate de Ferne, Adam de Vrcharde domino vicecomite de Crumbathy, Hugone de Monro domino de Estirfoulys, domino Gilberto capellano de Delgny, domino Willelmo Gray capellano de Dynguale, et domino Johanne Gray capellano de Balkuy, cum multis aliis.

QUA CARTA, vt premittitur, mihi sic exhibita et diligenter inspecta, ad instanciam dicti Johannis legi, et ipsius copiam transcripsi, et in hanc publicam formam redegei, nichil in ea addendo aut minuendo quod facti substantiam immutaret aut variaret intellectum : Acta fuerunt hec anno, mense, die, hora, indicione, pontificatu et loco quibus supra : Testibus, venerabili in Christo patre domino Thoma abbate monasterii de Deer, . . . viro ac potente Johanne de Keth domino de Innerugy, discreto viro domino Willelmo Forestare prebendario de Duffous, domino Johanne Boyle capellano, Alexandro [Sche]rar et Johanne de Schaw, armigeris, et multis aliis testibus ad premissa vocatis specialiter et rogatis.

Et ego Robertus Scherer, clericus Abberdonensis dyocesis, publicus imperiali auctoritate notarius, premissis [etc. in forma communi.]

526. TRANSMPT (made 8th October 1487) OF THE VERDICT OF AN ASSISE finding that the predecessors of ANDREW TERRELL had been infeft in the lands of Terrell. 4th March 1382.

IN Dei nomine amen : Vniuersis et singulis presenstransumptum seu presentes literas visuris lecturis et auditoris, Thomas Monelaw ecclesie collegiate almi confessoris beati Duthaci

de Tayn prepositus, salutem in Domino sempiternam : Noueritis me, ad instanciam honorabilis viri Alexaudri Rosse de Litille Alane, procuratoris cuiusdam Angusii Terrell filii Alexandri Angusii, olim apparentis heredis Angusii McCulloch de Terrell, quoddam scriptum ville antedictæ de Terrell magnifici et potentis domini, domini Alexandri Senescalli comitis Buchanie et domini de Rosse et Badanach predecessoris et progeutoribus dicti Angusii principalis factum, prefatique magnifici domini sigillo rotundo roboratum et sigillatum, per discretum virum Wilhelmum Spyne presbyterum et notarium publicum subscriptum, trausumi et exemplari ac in publicam transumptiformam redigi[fecisse]; cuiusquidem scripti tenor sequitur de verbo in verbum, et est talis : VNIVERSIS hoc scriptum visuris uel audituris, Alexander Senescalli comes Buchanie, dominus de Rosse et de Badauach, salutem in Domino : Cum sit pium et veritati consonum testimonium perhibere, et precipue de hiis que in curiis sunt legitime determinata, exhinc vniuersitati vestre notum facimus quod Andreas de Terrell citatus ad comparandum coram nobis apud Dingwell ad ostendendum per quas euidentias tenere clamat suum tenementum de Terrell cum pertinentiis, qui per infirmitatem detentus comparere non potuit nisi per procuratores : quiquidem procuratores in curia tenta per me apud Dingwell, die confectionis presencium, dicebant et per plegium affirmabant quod carta dicti Andree per ignem in ecclesia de Terbart combusta erat et destructa, sed modum sue infeodacionis sub pena que legitime sequi poterit allegauerunt et pronunciauerunt, viz., quod predecessor dicti Andree Johannes dictus Boner infeodatus erat in eiisdem terris de Terrell cum pertinentiis hereditarie, per cartam infeodationis quondam Wilhelmi comitis de Rosse, patris domini Hugonis comitis de Ross, cum omnibus libertatibus, commoditatibus et aisiamentis, tam cum bracinis, molendinis et eorum multuris et fabrinis, quam cum omnibus aliis pertinentiis, tam non nominatis quam uominatis, tam sub terra quam supra terram, sicut uoris est carte, pro suo homagio et seruicio, cum tribus sectis curie in anno ad tres curias principales comitatus Rossie : Reddendo inde eciam dictus Johannes Boner et heredes sui predicto domino suo comiti de Rosse et heredibus suis tres marcas vsualis monete annuatim ad terminos anni vsuales : Quasquidem tres marcas, vna cum decem solidis annuatim percipiendis de villa de Estirharde, Wilhelmus comes Rossie, filius et heres dicti domini Hugonis quondam comitis Rossie, dedit hereditarie predicto Andree de Terrell et heredibus suis, per modum carte sue infeodationis, cum omui varantizacione, prout liberius et plenarius dari poterant et concedi : Vnde omnibus istis allegatis, positum fuit ad aisisam proborum et fidelium patrie, viz., domini Wilhelmi de Fodergame, domini Johannis de Suthirlaud, domini Ricardi Cumiu, militum, Ade de Vrchart, Hugonis de Munro, Alexandri de Chesholme, David de Denvne, Wilhelmi de Dregorne, Jacobi Prattis et Jacobi filii Stephani,

cum pluribus aliis fidedignis, magno sacramento interueuiente, specialiter ad hoc iuratis : Per quam vero aisisam compertum fuit et decretum quod dicte allegationes in omnibus et per omnia prescripta vere sunt, et quod in forma et modo dictarum allegationum predecessores dicti Andree de Terrell et sepedictus Andreas in predictis terris de Terrell cum pertinentiis et predictis annuis redditibus hereditarie erant infeodati et cartati per diuersas cartas, sicut moris est, sibi inde confectas et cum sigillis dictorum dominorum comitum Rossie roboratas, et hoc omnibus quorum interest innotescimus per presentes. In cuius rei testimonium sigillum meum autenticum presenti scripto est appensum, apud Dingwell, quarto die mensis Marcii anno Domini millesimo trecentesimo octuagesimo secundo : Post omnia et singula suprascripta, nos Thomas prepositus prefatus presens transumptum siue instrumentum publicum cum dicto scripto originali diligenter examinari et collatiuari fecimus. Et quia per diligentem examinationem et collationem huiusmodi comperimus presens transumptum cum dicto scripto originali in omniibus et per omnia concordari, et in nullo discrepari, ad instanciam prefati Alexandri procuratoris decernimus quod presenti scripto siue transumpto detur et adhibeatur de cetero plena fides in iudicio et extra vbique locorum talis et tauta qualis et quanta ipsi originali instrumento adhiberetur si in medium produceretur : In quorum omnium et singulorum fidem et testimonium premissorum sigillum nostrum, vna cum subscriptione notarii publici antedicti huic presenti instrumento siue transumpto duximus appendendum : Acta in ecclesia nostra collegiata autedicta, in choro eiusdem, octauo die mensis Octobris anno Domini millesimo quadringentesimo octuagesimo septimo, coram honorabilibus et circumspcctis viris ac dominis, magistro Thoma Rosse ecclesie cathedralis Rossensis subdecano, domino Wilhelmo Monelaw wicario de Alnes, dominis Adam Ferne, Donaldo Gray, Johanue Mouelaw, et Henrico Lange capellanis, et Donaldo Corbart armigero, cum pluribus ac diuersis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Wilhelmus Spyne, presbyter Rossensis diocesis, publicus imperiali auctoritate notarius, quia premissis [etc. in forma communi].

WILHELMUS SPYNE.

527. CHARTER by the BURGESSES OF CROMARTY, to JOHN REBAYN and Others, of a Piece of Land. 18th October 1449.

VNIUERSIS et singulis ad quorum noticias presentes nostre littere peruenerint, David Moricii, Walterus de Sancto Claro, balliui de Crombathy, et communitas eiusdem, salu-

tem temporalem et eternam in Domino. Noueritis nos David, Walterum, et communitatem predictam, diligenti super hoc inter nos habito tractatu, cum consensu et assensu omnium et singulorum conburgensium communitatis predictæ, assedasse et ad firmam posuisse dilectis conburgensibus nostris, videlicet, prouidis viris Johanni Rebayn, Thome Basok, Johanni filio Fynlaii, Gilberto Willelmi, totam terram nunc in moris iacentem inter fossam de Metheisfeld ex parte orientali ex una parte, et Gelyanisden ex parte occidentali ex parte altera, et a capite de ly Medylwode ex parte boreali, extendentem ad viam regiam versus Dauiston, in nouale redigendam secundum quod culter uel vomer arare possit: ipsis, heredibus suis, et assignatis, a uobis, heredibus uostris et assignatis, pro termino perpetuo heredis ipsorum quatuor diutius uiuentis, adeo libere, plene et quiete sicut et nos antecessoresque nostri eandem terram aliquo tempore possidebamus seu possedebant, sine omni onere, exactione, seu demanda communitatis predictæ, nostrumque, heredum nostrorum vel assignatorum: Soluendo inde tantum, tribus annis retroactis, decem solidos usualis monete regni Scocie ad duos anni terminos, videlicet, ad festum Sancti Martini in yeme quinque solidos, et ad festum pentecostes proximum inde sequens alios quinque solidos, annuatim, sine omni fraude et dolo: In cuius rei testimonium sigillum commune predicti burgi decimo octauo die mensis Octobris, anno Domini millesimo cccc^{mo} quadragesimo nono, ad hoc imponi fecimus, coram hiis testibus, prouidis viris, Johanne Clunes, Thoma Legath, Johanne Legath, Alexandro Vrchard, cum multis aliis.

528. CHARTER by the BURGESSES, ETC., OF DINGWALL to THOMAS OF DINGVALE, of the Mill and Mill-Land, etc., of that burgh. 4th October 1451.

OMNIBUS hanc cartam visuris vel audituris burgenses et communitas burgi de Dingvale, salutem in Domino sempiternam: Noueritis nos vnanimi consensu et assensu dedisse, concessisse, ac presenti carta nostra imperpetuum confirmasse dilecto nostro domino Thome de Dingvale tunc temporis Cathanensi thesaurario et de Kilmore prebendario, heredibus suis et suis assignatis, locum molendini nostri ac molendinum super eodem constructum et construendum, iacentia iuxta pontem Roberti de Munroo supra Peffery, ex parte boreali dicti burgi, cum tofta eiusdem, et crofta duarum rodarum, inter quas currit aqua nunc ad dictum molendinum: Tenendum et habendum dictum commune molendinum nostrum cum tofta et crofta cum pertinentiis, predicto domino Thome, heredibus suis et suis assignatis, a nobis et uostris successoribus, iu feodo et hereditate

imperpetuum, cum multuris et eorum sequelis, libere, quietè, integre, plenarie, honorifice, bene et in pace, cum omnibus commoditatibus, libertatibus, et aisiamentis ac iustis suis pertinentiis quibuscunque, tam non nominatis quam uominatis, ad dictum molendinum cum pertinentiis spectantibus seu iuste spectare valentibus quomodolibet in futurum : Et adeo liberius, quietius, integrius et honorificentius, sicut aliquid molendinum cum tofta et crofta cum pertinentiis in regno Scocie, pro beneficiis impensis datur, conceditur, seu possidetur : Insuper concedimus, pro nobis et nostris successoribus, prefato domino Thome, heredibus suis et suis assignatis, ad eligendum et imponendum molendinarium in dicto molendino seruiturum et ministraturum, totiens quotiens opus fuerit et eiis videbitur expediens, cum eadem libertate qua vtemur in burgo, et cum pastura duodecim vaccarum, duorum equorum, et triginta ouium, cum eorum sequelis, cum libero introitu et exitu ad pasturam et focale : Promittentes et obligantes nos et successores nostros prefato domino Thome, heredibus suis et suis assignatis, quod nunquam edificabimus aliud molendinum nec molendina infra libertatem dicti burgi nostri imperpetuum : sed volumus quod dictus dominus Thomas et heredes sui et assignati libere, licite et quiete possiderent, haberent, et tenerent dictum molendinum, cum multuris tam de nostris propriis granis quam de granis in burgo nostro emptis ; et non ibimus ad aliquod aliud molendinum cum nostris victualibus, nisi publice videatur quod sit in defectu seruicii : de quibus granis, etiam de granis nobiscum hospitatis, satisfaciemus septemdecim uel septemdecimam mensuram que dicitur le fat ; et expectabimus cum victualibus uostris ad dictum molendinum donec et quousque vnusquisque nostrum expediatur et seruiatur debite et consequenter, ut moris est : Concedimus etiam dicto domino Thome, heredibus suis et assignatis, nostram liberam licenciam et potestatem specialem dictum molendinum de loco in locum remouere totiens quotiens et ubi eiis infra nostram libertatem videbitur expediens et opus fuerit : Et nos vero prefati burgenses et communitas burgi predicti et nostri successores predictum molendinum cum tofta et crofta cum pertinentiis, ut dictum est, prefato domino Thome, heredibus suis et suis assignatis, contra quoscunque mortales homines et feminas warantizabimus, acquietabimus et imperpetuum defendemus : Prefatus dominus Thomas, heredes sui et assignati, nobis et successoribus nostris annuatim reddendo vnum denarium nomine albe firme, si petatur, ad festum Pentecostes infra dictum molendinum : In cuius rei testimonium sigillum commune dicti burgi nostri appendi fecimus presenti carte nostre, vnacum sigillo Donaldi Walteri tunc temporis vnius balliuorum dicti burgi, qui saisinam prefato domino Thome contulit de dicto molendino cum pertinentiis : Apud dictum burgum quarto die mensis Octobris anno Domini millesimo quadringentesimo quinquagesimo primo.

529. CHARTER by the BURGESSES OF DINGWALL, to THOMAS OF DINGWALL, of the Land called Bog Monroy, in exchange for Brakaynorde, on the day of the Court held at Dingwall immediately after Easter 1454.

OMNIBUS hanc cartam visuris vel audituris, Burgenses et communitas burgi de Dingvale eternam in Domino salutem : Noueritis nos unanimi consensu et assensu in excambium terrarum de Brakaynorde cum pertinentiis, et terrarum duarum partium de Coyt Reyvis cum pertinenciis, et pro aliis beneficiis nobis multipliciter et gratauter impensis, dedisse, concessisse preciseque et omnino presenti carta nostra confirmasse, circumspecto viro ac dilecto nostro conuicio domino Thome de Dingvale tunc temporis Cathanensi thesaurario et de Kilmore prebendario, illam peciam terre nostre alias nuncupate Bog Monroy nunc vero Bensort, iacentem in territorio dicti nostri burgi, inter aquam de Peffery ad boream ex parte una, et le leche molendini ad australem ex altera, extendentem versus introitum cursus le leche de Peffery iuxta antiquam metam de Fothirdy uersus occidentem, et ad le Alryn Inche et terras Willelmi Gray et Scherale versus oriens : Tendendam et habendam totam predictam peciam terre cum pertinentiis prefato domino Thome, heredibus suis et suis assignatis, a nobis et nostris successoribus in feodo et hereditate ac libero burgagio imperpetuum, cum omnibus commoditatibus, libertatibus et aysiametis, cum curiis et curiarum eschaetis, ac cum communi pastura bestiarum inhabitantium super dicta pecia terre in pascuis nostris, et cum libero introitu et exitu ad eandem, ac cum omnibus aliis et singulis iustis suis pertinentiis, tam non nominatis quam nominatis, ad predictam terram cum pertinentiis spectantibus seu iuste spectare valentibus quomodolibet in futurum ; adeo libere et quiete, integre, plenarie et honorifice sicut aliqua burgagia in dicto burgo uel territorio eiusdem liberius datur, conceditur seu possidetur, siue quacunque reuocacione, reclamacione seu contradictione per nos uel successores nostros inde quouismodo futuris temporibus facienda : Reddendo inde annuatim prefatus dominus Thomas, heredes sui et assignati, nobis et successoribus nostris vnum denarium nomine albe firme super solum dictae terre, si petatur, ad festum Pentecostes tantum, pro omni alio onere, seruicio seculari, exaccione seu demanda, que per nos uel successores nostros exigi poterunt uel requiri : Et nos vero burgenses et communitas dicti burgi dictam peciam terre cum pertinentiis, in omnibus et per omnia, ut predictum est, prefato domino Thome, heredibus suis et suis assignatis, per omnes terras nostras et quascunque possessiones ac bona nostra vniuersa et singula, mobilia et immobilia, ubicunque locata sunt seu reperta per ipsorum quemlibet, absque quocunque officario dis-

tringenda, capienda et disponenda fore, contra omnes mortales warantizabimus, acquie-
tabimus et imperpetuum defendemus : Iu cuius rei testimonium sigillum commune
burgi nostri presenti carte nostre appendi fecimus : Et ad maiorem euidenciam et rei
noticiam sigilla Donaldi Walteri et Johannis Nicolai, balliuorum dicti burgi tunc tem-
poris, qui prefato domino Thome de dicta pecia terre cum pertinentiis per tradicionem
terre et lapidis eiusdem saisinam et hereditariam possessionem contulerunt, de mandato
nostro sunt appensa, apud dictum burgum, in curia capitali nostra immediate tenta
post pascha, anno Domini millesimo quadringentesimo quinquagesimo quarto : Hiis
testibus, Hugone de Munroo, Donaldo Coysine, domino Alexandro vicario de Fothirdy,
Thoma Willelmi, David Willelmi, Thoma Man, et Donaldo Daudison, et pluribus aliis.

530. CONFIRMATION, dated 13th October 1457, by King James the Second, OF A
CHARTER by THOMAS OF DINGWALL, sub-dean of Ross, to THOMAS OF
DINGWALL. 3d October 1456.

JACOBUS Dei gratia Rex Scotorum, omnibus probis hominibus totius terre sue, clericis
et laicis, salutem : Sciatis nos quamdam cartam dilecti nostri Thome Dingvale, subdecani
Rossensis et burgensis burgi nostri de Dingvale, factam et concessam dilecto nostro
Thome Dingvale de omnibus et singulis terris et possessionibus ac annuis redditibus
cum pertinentiis habitis et habendis de conquestu dicti Thome subdecani Rossensis in
burgo de Dingvale et in territorio eiusdem, vna cum molendino de Dingvale et suis
pertinentiis et libertatibus quibuscunque, tam in dicto burgo quam in burgo de Innernis,
sibi Thome subdecano spectantibus, de mandato nostro visam, lectam, inspectam, et
diligenter examinatam, sanam, integram, non rasam, non cancellatam nec in aliqua sui
parte suspectam, ad plenum intellexisse, sub hac forma : OMNIBUS hanc cartam visuris
vel audituris, Thomas de Dingvale subdecanus Rossensis ac burgensis burgi de Dingvale,
eternam in Domino salutem : Noveritis me dedisse, concessisse et assignasse ac presenti
carta mea confirmasse dilecto consanguineo meo carnali Thome de Dingvale omnes et
singulas terras et possessiones ac annuos redditus cum pertinentiis habitas et habendas
de conquestu meo in burgo de Dingvale et in territorio eiusdem, vna cum molendino de
Dingvale, cum suis pertinentiis et libertatibus quibuscunque, tam in dicto burgo quam in
burgo de Innernis michi spectantibus in eisdem : Tenendas et habendas dictas terras,
possessiones, et annuos redditus, molendinum et libertates burgorum predictorum cum
pertinentiis prefato Thome et heredibus suis masculis de corpore suo legitime pro-
creandis, quibus deficientibus, Johanni de Dingvale fratri suo germano et heredibus suis

masculis de corpore suo procreandis ; et si de predictis Thoma et Johanne et heredibus suis masculis de corpore suo procreandis deficiat, quod absit, volo quod dicte terre, possessiones, annui redditus, molendinum et libertates cum pertinentiis, ad digniorem de cognomine meo et heredibus suis integre reuertantur ; cum omnibus comoditatibus, libertatibus et asiamentis ac iustis suis pertinentiis quibuscunque, libere, quiete, integre, honorifice, bene et in pace, sine reuocacione imperpetuum : Reddendo inde annuatim predicti Thomas et heredes sui masculi de corpore suo procreandi, quibus deficientibus, Johannes de Dingvale et heredes sui masculi de corpore suo procreandi, et si de eis successiue deficiat, digniores de cognomine meo et heredes sui, de qualibet perticata terre in dicto burgo de Dingvale iacente firmam regiam, scilicet quinque denarios, et pro ceteris reddendo secundum tenorem cartarum inde michi confectarum, annuatim tantum, pro omni alio onere, seruicio seculari, exaccione seu demanda, que de dictis vniuersis et singulis exigi poterunt vel requiri : Et ego vero Thomas prefatus et heredes mei predictas terras, possessiones, annuos redditus, molendinum et libertates burgorum, in omnibus et per omnia, vt predictum est, prefatis Thome et Johanni et heredibus suis masculis de corporibus suis procreandis, quibus deficientibus, dignioribus de cognomine meo et heredibus suis, per omnes terras nostras et quascunque possessiones ac bona nostra vniuersa et singula, mobilia et immobilia, vbicunque locata seu reperta fuerint, absque quocunque officario namanda, capienda, et disponenda fore, contra omnes mortales warantizabimus, acquietabimus et imperpetuum defendemus : In cuius rei testimonium sigillum meum presenti carte mee appendi feci, apud dictum burgum de Dingwale, tertio die mensis Octobris anno Domini millesimo quadringentesimo quinquagesimo sexto.

Quamquidem cartam, ac donacionem et concessionem in eadam contentas, in omnibus suis punctis et articulis, conditionibus et modis ac circumstanciis suis quibuscunque, forma pariter et effectum, in omnibus et per omnia, approbamus, ratificamus et pro nobis et successoribus nostris, vt premissum est, pro perpetuo confirmamus ; saluo seruicio nostro : In cuius rei testimonium presenti carte nostre confirmacionis magnum sigillum nostrum apponi precepimus : Testibus, reuerendo in Cristo patre George episcopo Brechineensi nostro cancellario, dilectis consanguineis nostris Alexandro comite de Huntle et domino de Baidzenach, Alexandro domino Montgomery, Patricio domino Glammys, Roberto domino Boyde, Willelmo de Morauia de Tulibardin, et Niniano Spot nostrorum compotorum rotulatore : Apud Innirnis, decimo tertio die mensis Octobris, anno Domini millesimo quadringentesimo quinquagesimo septimo, et regni nostri vicesimo primo.

531. CHARTER by JOHN MUNRO of Foulis and the BURGESSES OF DINGWALL to THOMAS OF DINGWALL, of a Piece of Land. Dingwall, 30th June 1458.

OMNIBUS hanc cartam visuris vel audituris, nos burgenses et comunitates de Dyngvale, et precipue Johannes de Munro de Foulis et balliui eiusdem, salutem in Domino sempiternam : Noueritis nos vnanimi consensu et assensu, pro nobis et successoribus nostris dedisse, concessisse, et hac presenti carta nostra confirmasse dilecto consanguineo nostro domino Thome de Dyngvale subdecano Rossensi conuicino nostro, heredibus suis et suis assignatis, de nobis, heredibus nostris et assignatis, vnam peciam terre nostre communis iacentem inter terram dicti domini Thome annexam in le Bog nersns boriā ad antiquum cursum aque molendini ex parte vna, et nouum cursum aque dicti molendini tractatum per licenciam nostram ad austrum ex parte altera : Tenendam et habendam predictam peciam terre dicto domino Thome, heredibus suis et suis assignatis et assignatis heredum suorum, annexam le Bog, a nobis, heredibus nostris et assignatis in feodo et hereditate imperpetuum, cum omnibus et singulis commoditatibus, libertatibus, et aysiamētis ac iustis suis pertinentiis quibuscunque ad dictam peciam terre annexatam le Bog spectantibus seu inste spectare valentibus quomodolibet in futurum : Adeo libere, quiete, plenarie, integre, bene et in pace, sine renocacione seu contradictione nostrorum vel heredum nostrorum aut successorum nostrorum imperpetuum, in omnibus et per omnia, tam sub terra quam supra terram, tam non nominatis quam nominatis, tam procul quam prope, in latitudine et longitudine, in aquis, siluis, et rinolis, cum libero introitu et exitu ad pasturam communem ville et ad focale, cum omnibus aliis pertinentiis quibuscunque : Ita libere sicut aliqua alia pars de le Bog que nunc dicitur Bensort in carta inde confecta datur, conceditur, aut alienatur, et cum consimilibus libertatibus et aysiamētis, liberius, quietius, honorificentius et melius, in viis, semitis, pratis, pascuis et pasturis : Et nos vero dicti burgenses, comunitates, Johannes de Munro et balliui predicto domino Thome, heredibus suis et suis assignatis et assignatis heredum suorum, predictam peciam terre le Bensort annexate cum pertinentiis, pro nobis, heredibus nostris et assignatis, contra omnes mortales varantizabimus, acquietabimus, et imperpetuum defendemus : Insuper confirmamus, ratificamus, et approbamus omnes et singulas concessionēs, donationes, et infeodaciones datas et concessas dicto domino Thome, heredibus suis et assignatis, a nobis et heredibus nostris et assignatis, prout plenius continetur in cartis suis inde confectis : In cuius rei testimonium sigillum nostrum commune dicti burgi vna cum sigillis Johannis Munro, et Johannis Nicholai, tunc vnius balliuorum dicti burgi huic carte nostre sunt appensa : Apud Dyngvale vltimo die mensis Junii, anno Domini

millesimo cccc^{mo} quinquagesimo octauo ; hiis testibus, Donaldo Valteri, tunc vno balliuorum, Duncano Muuro, Johanne Vaus, Thoma Man, Alexandro Nycholaii, Patricio Munro, cum multis aliis et ceteris.

532. PRECEPT by JOHN OF YLE, EARL OF ROSS and LORD OF THE ISLES, for infesting THOMAS OF DINGVALE, his Chamberlain, and THOMAS OF DINGVALE, Junior, in Inchefur. 18th February 1462.

JOHANNES DE YLE comes Rossie et dominus Insularum, principali balliuo nostro Rossie Johanui de Monro seu eius certo substituto Doncano de Monro, salutem : Et quia Robertus Johannis dominus de Inchefur totas et integras terras suas de Inchefur cum pertinentiis in manibus nostris per fustem et baculum sursum reddidit, pureque et simpliciter resignauit ; quas quidem terras incontinente dedimus et concessimus ut de franctenemento domino Thome de Dyngvale tunc subdecano Rossensi ac uostro tunc temporis camerario, et ut de feodo Thome de Dyngvale, heredibus suis, prout in eorum cartis latius continetur : Quare vobis et cuilibet vestrum precepimus, necnon et stricte precipiendo mandamus, quatenus visis presentibus saisinam et statum hereditarium dictarum terrarum cum pertinentiis, ut de franctenemento dicto domino Thome de Dyngvale, et de feodo dicto Thome iuniori de Dyngvale, saluo iure cuiuslibet, ut moris est, attributis, vel vnus vestrum attribuat : Et in siguum saisine taliter per vos vel vnum vestrum eiis tradite tam de franctenemento quam de feodo, sigillum vestrum autedicti Johannis in secunda cauda post nostrum appeudatis : In cuius rei testimonium sigillum nostrum presentibus appendi fecimus apud manerium nostrum de Delny, decimo octauo die mensis Februarii, anno Domini millesimo quadringentesimo sexagesimo secundo.

533. CHARTER by JOHN OF YLE, EARL OF ROSS and LORD OF THE ISLES, to DONALD CORBATT, of the Lands of Ester Arde. 12th April 1463.

OMNIBUS hanc cartam visuris vel auditoris Johannes de Yle comes Rossie et dominus Insularum, eternam in Domino salutem : Noueritis nos dedisse, concessisse, et hac presenti carta nostra imperpetuum confirmasse dilecto nostro et natuo armigero Donaldo Corbatt, omnes et singulas terras uostras de Ester Arde cum pertinentiis iacentes in dicto comitatu Rossie infra vicecomitatum de Innernys : Quequidem terre cum pertinentiis fuerunt quondam Johannis Tullach hereditarie, et quas idem Johannes non vi aut

metu ductus, nec errore lapsus, set mera et spontanea sua voluntate, per fustem et baculum in manus nostras resignavit; ac totum ius et clameum que habet, habuit, vel habere potuit, pro se et heredibus suis omnino quitumclamanit imperpetuum: Tenendas et habendas totas et integras prenominate terras de Ester Arde cum pertinentiis prefato Donaldo Corbatt et heredibus suis; quibus deficientibus, quod absit, Margarete Corbatt filie dicti Donaldi et heredibus suis inter ipsam et prefatum Johannem Tullach procreatis seu procreandis; de nobis, heredibus nostris et successoribus comitibus Rossie, in feodo et in hereditate imperpetuum, per omnes rectas metas suas antiquas et dinisas, in boscis, planis, pratis, moris, marresis, pascuis et pasturis, petariis, turbariis, carbonariis, fabrilibus et brasinis, viis, semitis, aquis, silvis, riulis, et lacubus, anenpacionibus, venacionibus, piscacionibus, cum vrait, waith et wair, cum molendinis, multuris et eorum sequelis, cum curiis et earum exitibus, herezeldis et mulierum merchettis, cum communi pastura, et libero introitu et exitu, ac cum omnibus aliis et singulis commoditatibus, libertatibus, et aisiamenis, ac iustis suis pertinentiis quibuscunque, tam non nominatis quam nominatis, tam subtus terra quam supra terram, tam prope quam procul, ad predictas terras cum pertinentiis spectantibus seu iuste spectare valentibus quomodo libet in futurum: adeo libere, quiete, integre, plenarie, honorifice, bene et in pace, sine reuocatione aliquali: Reddendo inde annuatim prefatus Donaldus et heredes sui, quibus deficientibus, quod absit, dicta Margareta et heredes sui inter ipsam sepefatam Margaretam et prefatum Johannem procreati seu procreandi, nobis, heredibus nostris et successoribus, comitibus Rossie, tres sectas curie ad tria placita capitalia nostra tenenda apud Kynnardy, tantum pro omni alio onere, seruicio seculari, exactione seu demanda, que per nos, heredes nostros, et successores comites Rossie exigi poterunt de dictis terris cum pertinentiis vel requiri. Et nos vero prefatus Johannes comes Rossie, heredes nostri et successores, comites Rossie, totas et integras prenominate terras cum pertinentiis prefato Donaldo et heredibus suis, quibus deficientibus, dicte Margarete et heredibus suis inter ipsam et dictum Johannem procreatis seu procreandis, in omnibus et per omnia, ut predictum est, contra omnes mortales homines et feminas varantizabimus, acquietabimus, et imperpetuum defendemus: In cuius rei testimonium sigillum nostrum presentibus appendi fecimus, apud Tayne, duodecimo die mensis Aprilis, anno Domini millesimo quadringentesimo sexagesimo tercio, coram hiis testibus, viz., venerabili in Christo patre Finlaio abbate de Fern, Willclmo Thano de Caldor, milite, Johanne de Monro de Fovlis, Colino Lachlanni McGilleoin balliuo de Mule, Johanne McGoyre de Wlna, Thoma Monro nostro secretario, cum multis aliis in testimonium vocatis.

534. CHARTER by THOMAS OF DINGWALL, Junior, to JOHN OF DINGWALL, of his lands in Dingwall, etc. 27th October 1466.

OMNIBUS hoc scriptum visuris vel audituris Thomas de Dingvaile iunior, dominus de Kildone, salutem in Domino sempiternam : Noueritis me, non vi aut metu ductum, nec errore elapsum, seu aliquibus mediis illicitis circumuentum, sed mea mera et spontanea voluntate, in fauorem legitime successionis et posteritatis cognominis mei, deficientibus, quod absit, legitimis heredibus masculis de corpore meo proprio procreatis seu procreandis, dedisse, concessisse, et hoc presenti scripto meo irreuocabiliter assignasse omnes et singulas terras meas infrascriptas, videlicet, terras meas burgales ville de Dingvaile, molendinum eiusdem, le Bogy, terras meas de Kildonne, et Owsye, cum duabus partibus ville de Arkeboll, ac etiam omnes et singulas alias terras meas habitas et habendas, tam nominatas quam non nominatas, cum vniuersis iuribus et pertinentiis suis, carissimo fratri meo germano Johanni de Dingvaile et heredibus suis masculis de corpore suo legitime procreatis seu procreandis : et ipso, quod absit, deficiente, et heredibus suis masculis de corpore suo procreandis, carissimo fratri meo germano Alexandro de Dingvaile et heredibus suis masculis de corpore suo legitime procreandis omnes et singulas terras meas predictas cum pertinentiis do pariter et irreuocabiliter assigno : et ipso Alexandro, quod absit, deficiente, et heredibus suis masculis de corpore suo procreandis, carissimo fratri meo germano Wilhelmo de Dingvaile, et heredibus suis masculis de corpore suo, dante Domino, procreandis, omnes et singulas terras meas prenominate cum pertinentiis do pariter et irreuocabiliter assigno : Quibus omnibus carissimis fratribus meis et eorum heredibus masculis legitimis, quod absit, deficientibus, proximo honorabiliorum et validiorum de cognomine de Dingvale iure hereditario propinquius succedenti masculo seu masculis, et suis heredibus masculis de corpore seu corporibus eorum legitime procreandis, omnes et singulas prenominate terras meas cum pertinentiis et iuribus suis vniuersis do pariter et assigno irreuocabiliter in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, in boscis, planis, pratis, moris et marresiis, pascuis et pasturis, petariis, turbariis, carbonariis, fabrilibus, et bracinis, viis, semitis, aquis, stagnis, riolis, fluuiis et lacubus, siluis, quercis, genestis, et virgultis, aucupacionibus, venacionibus, piscariis, cum le wrake, wath, et ware, cum molendinis, multuris, et eorum sequelis, cum curiis et earum exitibus, herzeldis, bludeweetis, furcis et mulierum marchætis, cum omni etiam pastura, et liberis introitu et exitu, ac cum omnibus aliis et singulis commoditatibus, libertatibus, fertilitatibus, et aisiamētis, cum canonica et iusta capellanie solitis et consuetis, et capellanorum presentacione, iure patronatus michi

spectanti, et burgorum libertatibus vniuersisque et iustis suis pertinenciis quibuscunque, tam non nominatis, quam nominatis, tam subtus terra quam supra [terram], tam prope quam procul, ad predictas terras cum pertineucis spectantibus seu iuste spectare valentibus quomodolibet in futurum ; adeo libere, quiete, integre, plenarie, honorifice, bene et in pace, sicut aliquæ terre iufra regnum Scocie per aliquos seu aliquem alicui seu aliquibus in hereditaria assignacione dantur seu rite assignantur : Et ego vero Thomas de Dingvaile prefatus et heredes mei tenore presentium, magno interueniente iuramento, obligamus nos quod contra premissam terrarum assignacionem, sic vt premittitur per me irreuocabiliter factam, nunquam temporibus profuturis, publice vel occulte, directe vel indirecte, aliquatenus deueniemus : In cuius hereditarie assignacionis euidentius testimonium sigillum meum proprium presentibus est appensum : Et pro maiori securitate premissorum sigillum commune communitalis ville de Dingvaile, vna cum sigillis balliuorum eiusdem ville pariter presentium, pariter et cum signo et subscriptione venerabilis viri magistri Thome Quhite cancellarii Cathanensis, notarii publici subscripti, presentibus cum magna instancia appendi et affigi procuraui : Apud villam de Tayne, vicesimo septimo die mensis Octobris, anno Domini millesimo quadringentesimo sexagesimo sexto, indictione decima quinta, pontificatus sanctissimi in Christo patris ac domini nostri, domini Pauli diuina prouidencia pape secuudi anno tercio : Coram hiis testibus, venerabili in Christo patre Finlaio permissione diuina abbate de Ferne, Johanne McCulloch de Pladdis, magistro Thoma Ross canonico Rossensi, Andrea Forate, Johanne Waus iuniore, et Andrea Muuro, cum nonnullis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Thomas Quhite, ecclesie Cathaueusis caucellarius, publicus auctoritate imperiali notarius, predictarum terrarum hereditarie assignacioni, prefatorum sigillorum procuracioni et appeusioni ceterisque premissis, etc. [in forma communi].

535. CHARTER by the BURGESSES OF CROMARTY, to JOHN FINLAYSON, of certain Lands. 2d November 1467.

OMNIBUS hoc scriptum visuris uel audituris, Thomas Legatus balliuus burgi de Crombaty, salutem in Domino sempiternam : Nouerit vniuersitas vestra me prefatum Thomam, cum consensu et assensu totius communitalis burgi antedicti, matura deliberatione habita, solempni tractatu facto, diligente inquisitione prius habita, nulla discrepancia interueniente, dedisse, concessisse, pure et simpliciter donasse, necnon tenore presentium

dare, concedere, et assignare pro bono et vtilitate et commodo predicti burgi, considerata et pensata graui necessitate ipsius burgi antedicti, prouido viro Johanni filio Finlai conuicino et burgensi sepefati burgi, vnam porciunculam terre, viz, nouale nunquam prius ad culturam redactum, que porciuncula terre in longitudine et latitudine inter terram terre noualis ex occidentali ex parte vna, et terram Cristini Smyth ex boriali partibus ex altera, et terram Fortuathe ex australi ex vna, et terram Thome Legat que vocatur Outeruk oriente parte partibus ex altera, dicta porciuncula terre remaneute libere et quiete sine exaccione et firma soluenda per prefatum Johannem pro quatuor primis annis, consideratis ipsius laboribus grauibz et expensis : lapsis dictis quatuor annis dictus Johannes et ipsius heredes omni anno, terminis Pentecostes et Martini, per equales porciones soluet xl denarios, nomine et ex parte solucionis firmarum antedictæ terre, communitati et burse communi antedicti burgi ; dictam porciunculam habitam et habendam a dicta communitate prefati burgi nunc et imperpetuum in vera hereditate dicto Johanui et ipsius heredibus, deputatis, et assignatis, in longitudine, latitudiue, cum singulis suis iustis pertinenciis, connexis et pertinenciis, sicut aliqua terra datur, possidetur, venditur, uel assignatur in quocunque burgo infra regnum Scocie : Et nos Thomas et communitas antedicta predictas venditionem, assignacionem, et donacionem contra omnes homines et femiuas mortales varaudizabimus, acquietabimus, et imperpetuum defendemus : In cuius rei testimonium sigillum nostrum commune est affixum, apud Crombathye, secundo die mensis Nouembris anno Domini m.cccc. sexagesimo septimo, coram hiis testibus, venerabili domino Villelmo de Vrchard, vicecomite et milite, Johanne Ruban, Daud Gibson, Thoma Vllelmi, Magno Johannis, cum diuersis aliis dicte communitatis.

536. SASINE of FINLAY MICHELSONE of lands at Crombathye.

16th August 1476.

VNIERSIS et singulis has litteras inspecturis, Daud Denovne, burgensis burgi de Crombathye ac eiusdem burgi balliuus, salutem in omnium Saluatore : Noueritis me tradidisse honorabili viro Finlaio Michelsone, incole tunc temporis de Westyr Rarethe, saisinam et statum hereditarium de tota et integra dimedietate omnium terrarum prouidi viri Thome Red prenominati burgi burgensis, tam infra prefatum burgum quam extra ipsum, in villa de Nevatye situatarum, vna cum dimedietatibus edificiorum ac manerierum in eisdem edificatorum et in posterum edificandorum, quarum nomina terrarum omnium sunt hec : vna bouata in Nevatye, quinque rode terrarum super le

Nesche prefati burgi inter flumen marinum ex parte boriali et le Carne ex parte australi, vna roda terrarum inter crucem ville et mare, due rode infra prefatnm burgum inter terras domini Alexandri Spens et prefatum marinum flumen, dne rode inter torrentes ex capite orientali ville de Crombathy prenominate, vna roda enm dimedia in le Laidcattath, cum omnibus omnium istarum terrarum pertinentiis, per terre et lapidis traditionem secundum formam et tenorem carte prefati Finlai euidentialiter super hiis sibi confecte, ac ipsnm prefatum Finlaum eduxisse in realem, actualem corporalemque possessionem virtute mei officii, ut moris est, ordine tamen iuris preennte; saluis omnium aliorum iuribus; et hoc omnibus quorum interest uel interesse poterit in futurum notifico per presentes; et in signum prefate saisine prescripto Finlao sic tradite sigillum meum in euidentius testimonium premissorum et singulorum omnium huic presenti scripto duxi appendendum, coram hiis testibus, videlicet, Johanne Talzor, Willelmo Gebye, Willelmo Johannis, Cristino Smyth, Johanne Gibsoun, David Gibsoun, Danid Johnson, cum pluribus et diuersis aliis, xvi^o die mensis Augusti, anno Domini millesimo cccc^{mo} lxx^{mo} sexto.

537. SASINE of ANNETA MAKAYE, wife of Finlay Michaelson, of an ox-gang of land in Nevatye, etc. 4th July 1478.

VNIUERSIS et singulis has litteras inspecturis, David Denovne balliuus burgi de Crombathye, salntem in omnium Salvatore: Noueritis me tradidisse prouide matrone Annete Makaye, vxori honorabilis viri Finlai Michaelis incole de Westyr Rarethe, saisinam et statum pro diebus vite prefate Annete de vna bouata terrarum ville de Nevatye, cum vna roda terrarum burgi de Crombathye, pertinenti discreto viro Johanni Tailzor iure hereditario, ex speciali mandato prefati Johannis michi predicto David dato, virtute mei officii, per terre et lapidis traditionem, secundum formam et tenorem carte prefate Annete euidencialiter sibi super hiis facte, ac ipsam prenominatam Annetam eduxisse in realem, actualem, corporalemque possessionem virtute officii mei, ut premittitur, ut moris est, ordine tamen iuris preeunte, saluis omnium aliorum iuribus; et hoc omnibus quorum interest uel interesse poterit in futurum notifico per presentes; et in signum prefate saisine prefate Annete sic tradite sigillum meum in euidentius testimonium premissorum et singulorum omnium huic presenti scripto duxi appendendum; coram hiis testibus, videlicet, Johanne iuniore Tailzor, Willelmo Johannis, Cristino Smyth, Johanne Gybsoun, David Gybson, Willelmo Gebye et Johanne Donaldi, cum pluribus et diuersis aliis ad predicta vocatis specialiter et rogatis, quarto die mensis Iulii, anno Domini millesimo quadringentesimo septuagesimo octauo.

538. PROTEST by WILLIAM M^cTEYR, that he was not bound to give attendance at the Head Courts for the Lands of Achnaplad. 27th February 1483.

IN Dei nomine amen : Per hoc presens publicum instrumentum cunctis pateat euidenter et sit notum quod anno incarnationis Dominice millesimo quadringentesimo octuagesimo tercio, mensis vero Februarii die penultimo, indicione prima, pontificatus sanctissimi in Christo patris et domini nostri, domini Sixti diuina disponente clemencia pape quarti anno duodecimo, in honorabilis viri Johannis Ross de Balnagoyn meique notarii publici et testium subscriptorum presencia, personaliter constitutus validus vir Thomas Waus deputatus procurator, ut asseruit, ac gener prouidi viri Vilhelmi M^cTeyr in tali forma dicta sua pronunciauit : Quod dies Saboti, videlicet penultimus dies instantis Februarii prenotati fuerat sibi procuratorio nomine per nobilem virum Anguseum M^cCulloch de Pladdis peremptorie assignatus ad ostendendum cartam nomine et ex parte ipsius Villelmi super quarterio terrarum de Achnaplad. Idem Thomas procurator in eodem die sibi assignato comparuit, et me notarium publicum infrascriptum debite cum instancia uirtute mei officii rogauit ut secum irem ad locum curie solitum et consuetum prope Scarde : Ego vero attendens huiusmodi requestum fore iustum et rationi consonum precibus suis adqueui ; et ibidem cartam pergamineam, sigillo pendente sigillatam, causa perlegendi michi tradidit et deliberauit, quam vero cartam de verbo in uerbum fideliter perlegi : Post cuiusquidem lecturam prefatus Thomas procurator dicti Vilhelmi solempniter protestatus est, quod licet antedictus Vilhelmus M^cTeyr temporibus transactis comparere solebat ad curias capitales ipsius Angusei M^cCulloch et antecessorum suorum curias, et hoc spontanee et ex bono zelo fecit, quod nullomodo generaret dicto Vilhelmo seu heredibus suis preiudicium nunc vel imposterum, et quod nunquam fuerat coactus ex restricione sue carte ad comparendum. De et super quibus omnibus et singulis prefatus Thomas procuratorio nomine a me notario publico infrascripto sibi fieri peccit hoc presens publicum instrumentum. Acta erant hec apud locum solitum curie prope Scarde, hora quasi undecima vel eocirca ante meridiem, sub anno, die, mense, indicione et pontificatu quibus supra : Presentibus ibidem prouidis et discretis viris, Johanne Stewynson burgi de Abberden burgense, domino Donaldo Teyrson, capellano collegii almi Duthaci confessoris, Johanne Patricii, Thoma M^cInferson, ciuibus ville de Tayne, Donaldo M^cTeyr, et Roberto Tulloch scriba curie, cum singulis et diuersis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Jacobus Achlek, precentor Cathanensis, publicus auctoritatibus imperiali et regali notarius, premissis [etc. in forma communi.]

539. CHARTER by WILLIAM SCOT of Balwery, to JOHN RAMSAY, of the Lands of Kilgour. 2d February 1484. [From old copy.]

OMNIBUS hanc cartam visuris uel audituris, Willelmus Scot de Balwery ac dominus superior terrarum de Kilgour, salutem in Domino sempiternam : Noueritis me dedisse, concessisse et hac presenti carta mea confirmasse, necnon dare, concedere et hac presenti carta mea confirmare honorabili viro Johanni Ramsay, filio Georgei Ramsay de Corstone, omnes et singulas terras de Kilgoure cum pertinentiis iacentes infra vicecomitatum de Fyff : que terre cum pertinentiis fuerunt Willelmi Menteth hereditarie, et quas idem Willelmus Menteth, non vi aut metu ductus, nec errore lapsus, sed sua mera et spontanea voluntate, per suos procuratores sub sigillo suo proprio irreuocabiliter constitutos, apud Balwery, coram subscriptis testibus, per fustem et baculum sursum reddidit pureque simpliciter resignauit, ac totum ius et clameum, proprietatem et possessionem que et quas in seu ad dictas terras de Kilgoure cum pertinentiis habuit uel habere potuit, pro se et heredibus suis, michi omnino quitteclamauit imperpetuum tenore presentis carte mee : Tenendas et habendas omnes et singulas predictas terras de Kilgoure cum pertinentiis prefato Johanni Ramsay, heredibus suis et assignatis, de me [et] heredibus meis, in feodo et hereditate imperpetuum, per omnes rectas metas suas antiquas et diuisas, prout iacent in longitudine et latitudine, in edificiis, boscis, planis, moris, marresiis, pratis, pascuis et pasturis, aucupacionibus, venacionibus, piscacionibus, cum curiis et earum exitibus, eschaetis, bludwitis, herie[^l]tis et merchetis mulierum, cum communibus, libero introitu et exitu, ac cum omnibus aliis et singulis libertatibus, commoditatibus, proficiis, ac aysiamentis ac iustis pertinentiis suis quibuscunque, tam non nominatis quam nominatis, tam sub terra quam supra terram, procul et prope, ad predictas terras de Kilgoure cum pertinentiis spectantibus seu iuste spectare valentibus quomodolibet in futurum : et adeo libere, quiete, plenarie, integre, honorifice, bene, et in pace, sicut dictus Willelmus Menteth aut predecessores sui dictas terras cum pertinentiis de me et predecessoribus meis ante predictam resignacionem michi inde factam tenuit seu possedit, tenuerunt seu possederunt, ac sine retinemento, reuocatione, aut obstaculo aliquali : Reddendo inde annuatim dictus Johannes Ramsay, heredes sui et assignati, michi, heredibus meis et assignatis, seruicium debitum et consuetum tantum, pro omni alio onere, exactione, questione, demanda, uel seruicio seculari, que de predictis terris per quoscunque iuste exigi poterit quomodolibet uel requiri : In cuius rei testimonium sigillum meum huic presenti carte mee est appensum, apud Balwery, secundo die mensis Februarii, anno Domini millesimo quadringentesimo octuagesimo quarto ; coram hiis testibus, magistro Willelmo Scot,

Alexandro Scot, domiio Johanue Gervas capellauo, Johanne Scot, et Willelmo Leys, cum multis aliis.

540. PRECEPT by DONALD CORBATE, of Estyarde, for infetfing his son John in the West Third Part of Estyarde. 13th November 1488.

DONALDUS CORBATE, dominus de Estyarde, valido viro Alexandro Denovne de Dauis-towne, balliuo meo in hac parte, salutem in Domiio sempiternam : Quia alias dedi et concessi hereditarie filio meo et apparenti heredi, Johanni Corbate, heredibus suis et suis assignatis, cum consensu sponse mee Megote Caldor, terciam partem occidentalem terrarum mearum de Estyarde, cum pertinentiis, prout in quadam carta per me latius sibi facta continetur ; vobis igitur precipio, et committeudo vices meas requiro, quatinus indilate, visis presentibus, accedentes ad fundum terrarum predictarum, dicto Johanni Corbate heredibus suis et suis assignatis saisinau et statum hereditarium de dicta tercia parte occidentali, cum pertineutiis, iuxta tenorem carte sue, per terre et lapidis tradicionem, saluo iure cuiuslibet, ut moris est, attribuatis, et realiter conferre curetis : et in signum huiusmodi saisine per vos sic tradite sigillum vestrum post meum in secunda cauda appendatis. Datum sub sigillo meo apud villam de Estirarde, decimo tercio die mensis Nouembris, anno Domini millesimo quadringentesimo octuagesimo octauo, coram hiis testibus ad saisinam vocatis, honorabilibus viris, Valtero Ros, Johanne Valteri, Johanue Terrell, Doualdo Maknyven, et Johanne Blabyr, cum pluribus et diuersis aliis ad premissa in testimonium requisitis.

541. SASINE of MARSELLA MAKTYRE in the lands of Innerathy that belonged to her father, William Maktyre. 6th July 1489.

VNIERSIS et siugulis has literas inspecturis, salutem in omnium Salvatore. Nouerit vniuersitas vestra me Angusium Makecullach de Pladis, ac balliuum superiorem ville almi confessoris beati Duthaci de Tayne tunc temporis, tradidisse dilecte mee Marselle Maktyre, filie Wilhelmi Maktyre de Innerathy, saisinam et statum hereditarium de omuibz et singulis terris dicte ville de Innerathy, cum pertineutiis, iacentibus iupra immunitatem de Tayu, quas possidebat prenominatus Wilhelmus Maktyre, prout in cartis desuper confectis autenticis continetur, ac ipsam prefatam Marcellam eduxisse in realem, corporalem, actualemque possessionem, virtute mei officii, vt moris est, ordine tamen iuris preuute, saluis aliorum iuribus : Presentibus, tempore tradicionis eiusdem

saisine et status hereditarii, honorabilibus et discretis viris magistris et dominis Thoma Ross ecclesie cathedralis Rossensis subdecano, Thoma Mouelaw ecclesie beati Duthaci, Donaldto Maktyre, capellano, Waltero Denvne, Donaldto Gray, Thoma Blair et Patricio Andree, cum diuersis aliis. In cuius rei testimonium sigillum meum presentibus est appensum, vna cum subscripcione domini notarii publici subscripti, sexto die mensis Julii anno Domini millesimo quadringentesimo octuagesimo nono, indictione septima, pontificatus sanctissimi in Christo patris ac domini nostri domini Innocencii pape octauo anno quinto.

Et ego, Wilhelmus Spyne, presbiter Rossensis diocesis, publicus imperiali auctoritate notarius, quia premissis [etc. in forma communi.]

542. CHARTER by JOHN, son of William Robertson, to JOHN, son of John Simson, of half an acre in Hard-Hill. 20th November 1490.

OMNIBUS hanc cartam visuris vel auditoris, Johannes Wylelmi Roberti, burgensis burgi de Cromerthye, salutem in Domino sempiternam : Noueritis me non vi aut metu ductum, nec errore lapsum, set mea mera spontanea et beneuola uoluntate dedisse, concessisse et hac presenti carta mea confirmasse, a me et heredibus meis deputatis seu assignatis quibuscunque uendisse ac imperpetuum alienasse, et per fustem et baculum sursum dedisse et reddidisse dimediam acre terrarum mearum, iacentem in ly Harde Hyll inter terras Johannis Clunes ex parte australi ex parte vna, et terras meas proprias ex parte boreali ex parte altera, honorabili viro Johanni Johannis Symonis sibi et heredibus suis, deputatis seu assignatis. Tenendam et habendam dictam dimediam acre cum omnibus et siugulis suis commoditatibus, libertatibus et aysiametis, et iustis suis pertinentiis, tam nominatis quam non nominatis, tam subtus terra quam supra terram, in longitudine et latitudine, ad dictam dimediam acre spectantibus seu spectare valentibus in futurum, adeo ita libere, quiete, honorifice, bene et in pace, sicut aliqua terra in aliquo burgo regni Scotie venditur, alienatur, datur seu assignatur, prefato Johanni sibi et heredibus suis, deputatis seu assignatis, a me et heredibus meis, deputatis seu assignatis, sine aliqua reuocatione mei seu heredum meorum et successorum imposterum ficnda ; pro quadam summa argenti mihi soluta pre manibus in mea vrgenti et maxima necessitate, pro quaquidem summa teneo me contentum et bene solutum. Et ego prefatus Johannes Wylelmi, heredes mei, deputati seu assignati, prefatas terras prefato Johanni sibi, heredibus suis et suis deputatis seu assignatis, contra omnes homines et feminas mortales

varandizabimns, acquietabimns et imperpetuum defendemus. In cuins rei testimonium, quia sigillum proprium non habui, procurari cum instancia sigillum commune dicti burgi de Cromerthye presentibus appendi, apud dictum burgum, vicesimo die mensis Nonembris anno Domini millesimo quadringentesimo nonogesimo ; coram hiis testibus viz. Johanne Clnnes, Johanne Gylberti, Johanne Daud, Cristino Fabro, Donaldo Wylelmi, et Johanne Scissore cliente tunc temporis, cum dinersis aliis.

543. SASINE of JOHN SYMSON, in half an acre of Ground in Hardhill.
20th November 1490.

VNIUERSIS et singulis has literas inspecturis, Johannes Donaldi ballinus ac burgensis burgi de Cromathye, salutem in Domino sempiternam : Noneritis me tradidisse honorabili viro Johanni Johannis Symonis sasinam et statum hereditarium de vna dimedia acre terrarum Johannis Wylelmi Roberti, iacente in ly Hard Hyll inter terras Johannis Clnnes ex parte anstrali ex parte nna, et terras dicti Johannis Wylelmi ex parte boriali ex parte altera, quam dimediam acre predictus Johannes Wylelmi habuit, possedit et occupauit secundum formam et tenorem carte sne desuper sibi confecte, ipsumque Johannem eduxisse in realem, actualein, corporalemque possessionem nirtute mei officii, ut moris est, per terre et lapidis traditionem apud predictam dimediam acre, saluo iure cuiuslibet : Et hoc omnibus quorum interest notifico per presentes. In cuins rei testimonium sigillum meum presentibus appendi, apud burgum de Cromerthye, vicesimo die mensis Nouembris anno Domini millesimo quadringentesimo nonogesimo ; coram hiis testibus, viz. Johanne Clnnes, Johanne Gilberti, Johanne Danid, Cristino Smyth, Donaldo Wylelmi, et Johanne Talour cliente tunc temporis, cum dinersis aliis.

544. SASINE of MARJORY ANDERSON in half of a Tenement and Acre of Ground
in Cromarty. 20th May 1494.

VNIUERSIS et singulis has literas inspecturis, Johannes Clnnes ballinus ac burgensis burgi de Cromerthye, salutem in Domino sempiternam : Noueritis me tradidisse sasinam et statum Mariorie Andree pro omni tempore vite sue de dimedietate tenementi Jonete Wylhelmi, cum cauda et pertinentiis eiusdem, viz. boriali dimedietate, cum consensu et assensu predictae Jonete Wylhelmi, vna cum boriali dimedia acre terre dictae Jhonete : Dicta acra iacet in Layglandis inter terras Thome Rnben ex parte australi ex parte vna, et terras Donaldi Wylhelmi ex parte boriali ex parte altera ; quas dimedietates predicta

Joneta Wylhelmi habuit, possedit et pacifice occupavit secundum formam et tenorem carte sue desuper sibi confecte : Ipsamque Marioriam pro omni tempore vite sue eduxisse in realem, actuaalem, corporaalemque possessionem uirtute mei officii, ut moris est, per terre et lapidis traditionem, apud predictam dimedietatem dicti teuementi, saluo iure cuiuslibet : Et hoc omnibus quorum interest notifico per presentes : In cuius rei testimonium sigillum meum presentibus appendi, apud predictum burgum vicesimo die mensis Maii anno Domini millesimo quadringentesimo nonogesimo quarto, coram hiis testibus, David Donowyn alio balliuo, Cristino Fabro, Johanne Gilberti, Thoma Reed, Wylhelmo Geolle, Donaldo M^cVey, Johanne Talor, cum diuersis aliis.

545. TRANSUMPT, made 10th September 1524, OF SASINE on a Precept from JAMES ARCHBISHOP OF ST. ANDREWS AND DUKE OF ROSS, for infefting Donald of Isles as heir of his father, Alexander of Isles, Knight, in the lands of Lochalshe and many others. 27th February 1499.

IN DEI nomine amen. Per hoc presens publicum iustrumentum cunctis pateat euidenter et sit notum, quod anno incarnationis Dominice millesimo quingentesimo vicesimo quarto, mensis vero Septembris die decima, indictione duodecima, pontificatus sanctissimi in Christo patris et domini nostri domini Clementis pape septimi anno primo, iu mei notarii publici et testium subscriptorum presencia, personaliter constitutus honorabilis vir Willelmus Dingwell de Kildone infrascriptum instrumentum sasine venerabili viro magistro Paulo Fresail, decano et officiali Rossensi, pro tribunali sedenti, pro exemplari et transumpto legitimo et actentico eorundem, michique notario publico subscripto exhibuit et presentauit. Quiquidem dominus officialis, interesse habentibus, per edictum publicum in waluis ecclesie cathedralis Rossensis, ad videndum et audiendum huiusmodi instrumentum infrascriptum transsumi, excopiari et in publicam transumpti formam redigi, citatis, vocatis et non comparentibus, in penam contumacie personarum citatarum et non comparencium, idem officialis decreuit huiusmodi instrumentum transsumi, excopiari, et in publicam transumpti formam redigi ; interponens suam auctoritatem quod transumpto eorundem tanta fides habeatur in iudicio et extra in futurum quantum suis originalibus, cum appensione sui sigilli officii huiusmodi traussumpto : Cuius tenor dicti instrumenti sasine sequitur, et est talis, de uerbo in uerbum : IN DEI nomine amen. Per hoc presens publicum instrumentum cunctis pateat euidenter, quod anno incaruationis Dominice millesimo quadringentesimo nonogesimo nono, mensis vero Februarii die penultimo, indictione secunda, pontificatus sanctissimi in Christo patris ac domini nostri domini

Innocentii diuina clementia pape octauī anuo septimo, in mei notariī publici et testium subscriptorum presentia personaliter constitutus prouidus vir, Thomas Dingwell burgensis de Tayne, ac balliui deputatus probi viri Willelmi Munro de Foulis balliui reuerendissimi in Christo patris ac domini, domini Jacobi miseratione diuina archiepiscopi Sanctiandree et comitis [Ducis] Rossie, etc., de terris de Ros, de cuius prefati deputati constitutione et deputacione michi notario publico subscripto luculenter constabat, habens et tenens in manibus suis quasdam litteras preceptum sasine in se contiuentes dicti reuerendissimi patris ac domini [archiepiscopi Sancti] Andree antedicto suo balliui infra partes Rossie et suis deputatis directas et transmissas, pro sasiua et statu hereditario dandis et deliberandis Doualdo de Ilis, filio et heredi quoudam bone memorie Alexandri de Ilis de Lochalche, aut suo certo actornato, de terris et piscariis contentis in dictis literis seu sasine precepto contentis : Quarum literarum tenor sequitur et est talis : JACOBUS miseratione diuina Sanctiandree archiepiscopus, tocius regni Scocie primas, et apostolice sedis legatus etc. et dux Rossie, balliui terrarum nostrarum de Ross et deputato ab eodem salutem : Quia per inquisitionem de mandato nostro factam, et ad capellam nostram retornatam, compertum est quod quondam Alexauder Ilis miles, pater Donaldi Ilis latoris presencium, obiit vltimo vestitus et sasitus, vt de feodo, ad pacem et fidem supremi domini nostri Regis, de terris de Lochalche, Kischrin, Lochcarrin, Lochbrene, Feryntosky in Braychat, cum pertinentiis, et de piscariis aque Kelzeisokell, iacentibus infra ducatum nostrum de Ros et vicecomitatum de Innernis, et quod dictus dominus est legitimus et propinquior heres dicti quondam Alexaudri sui patris de huiusmodi terris, piscariis cum pertinentiis, et quod est legitime etatis, et quod de nobis teneatur in capite : Vobis precipimus et mandamus quatinus ad dictas terras de Lochalche, Kischeriu, Lochcarrin, Lochbreue, Ferintosky in Braychat, cum pertinenciis, et de piscariis aque Kelisokell, personaliter accedatis ; et ibidem super solis earundem statum, sasinam et possessionem hereditariam dictarum terrarum cum pertinentiis dicto Donaldi vel suo certo actornato, per terre et lapidis traditionem, vt moris est, iuste tradi faciatis, saluo iure cuiuslibet ; et hoc nullo modo omittatis : Ad quod faciendum vobis coniunctim et diuisim committimus potestatem ; capiendo securitatem pro iuribus nostris exiude debitis, prout volueritis respondere. Datum sub sigillo nostro rotundo, apud Striueling, tercio die mensis Februarii, auno Domini millesimo quadringentesimo nonagesimo uono. Prefatus vero balliuius, vna mecum notario publico et testibus subscriptis, ad aquam de Kelisochell accedens, sasinam et statum hereditariam piscarie dicte aque cum pertinentiis cuidam Doualdo McVicar certo actoruato dicti Donaldi tradidit et assignauit ; eundemque Donaldum McVicar in et ad actualement, realem et corporalem possessionem

dictæ piscariæ cum pertinentiis per arene et aque traditionem inducendo, vt moris est ; tamen saluis aliorum iuribus. Insuper dicti balliui deputatus vna mecum notario publico et testibus subscriptis disponentes nos transmeare et exire dictam aquam pro sasina et statu hereditario dictarum terrarum de Ferintosky in Braychat dandis et habendis dicto actornato, iussurrexerunt ex aduersa parte dictæ aque quidam homines, vt apparuit, maleauisati in mala apparentes et minose cum armis propter nos, vt apparuit, perturbandum, et a nostro proposito impediendum, timore quorum non audebamus exire dictam aquam pro factis nostris faciendis ; ac etiam publica vox fuit quod si exiremus dictam aquam pro huiusmodi factis caruissemus redditu : Et ego dictus notarius hec uerba antedictis balliui deputato et actornato dixi, Exite vos aquam et complete facta vestra, et clamate ad me petentes instrumentum ; et dabo desuper, quia bene possum videre et audire vos, quod metu mortis eorum reuisorum, etc. Super quibus omnibus et singulis prefatus Donaldus actornatus vnum seu plura publicum seu publica instrumentum seu instrumenta sibi fieri petiit. Acta erant hec ad littus dictæ aque hora quasi nona ante meridiem vel eocirca, sub anno, die, mense, indictione et pontificatu quibus supra ; presentibus ibidem prouidis viris Murchardo M^cGillecarrych, Duncano Dregan, Doualdo M^cDonaldo, Euir M^cAnereoch, Johanne Munro, Cristino M^cGillecarrych testibus, cum diuersis aliis ad premissa vocatis pariter atque rogatis. Sequitur subscriptio notarii : Et ego vero Donaldus Rede, presbyter Rossensis diocesis, publicus imperiali auctoritate notarius, quia premissis omnibus et singulis dum, sic vt premittitur, dicerentur, agerentur et fierent vnacum preuominatis presens interfui ; eaque omnia et singula, vt premissum est, fieri sciui, vidi et audiui, ac in notam ccpi, ideoque hoc presens publicum instrumentum manu mea scriptum exinde confeci, signoque nomine cognomine et subscriptione meis solitis et consuetis signaui et subscripsi rogatus et requisitus, in fidem et testimonium omnium et singulorum premissorum ; de et super quibus omnibus et singulis prefatus Willelmus Dingwell de Kildone a me notario publico subscripto sibi vnum vel plura publicum seu publica instrumenta [petiit]. Acta erant hec in ecclesia cathedrali Rossensi, hora decima ante meridiem vel eocirca, sub anno, mense, die, indictione et pontificatu quibus supra ; presentibus dominis Johanne Spens, Alexandro Spens, Thoma Gray vicario de Kylmorak, Daud Gray vicario, Daud et Donald Simsone capellanis ecclesie cathedralis Rossensis, Magno Waus, Roberto Waus et Johanne Roberti notariis, cum diuersis aliis, testibus ad premissa vocatis pariter et rogatis, etc.

Et ego Thomas Stephani, presbyter Rossensis diocesis, sacra apostolica auctoritate notarius, quia premissis [etc. in forma communi].

546. EXTRACT DECREE of the LORDS OF COUNCIL (27th July 1626), authenticating a Copy of Charter granted by the Burgh of Dingwall to THOMAS OF DINGWALL, 4th October 1451.

At Edinburgh, the tucntie sewint day of Julii, the zeir of God j^m vi^c tuentie sex zeiris, the Lordis of Counsaill vnderwrittin, they ar to say, Sir George Hay of Kinfawnis, knycht, chancellor of this realme, Sir James Skene of Currihill, knycht, president, Sir Andro Hamiltonn of Reidhous, knycht, Sir Alexander Hay of Fostersaitt, knycht, Sir Williame Livingstoun of Kylsyth, knycht, Sir George Erskene of Innerteill, knycht, Sir Alexander Gibsoun of Durie, knycht, Mr. Thomas Henrysoun of Chester, Sir Andro Fletcher of Innerpeffer, knycht, Sir Robert Spottiswod of Newabay, knycht, Mr. Alexander Seytoun of Kilcreuch, Sir George Anchinleck of Balmanno, knycht, Mr. James Bannatyne of Newhall, Sir Alexander Napier of Louristoun, knycht, Mr. Alexander Moresoun of Prestongrange, and Sir Archibald Achesoun of Clancairn, knycht : Auent the summondis rasis at the instance of George M^cKenzie of Kildin, heretable proprietar of the place of the myln vnderwrittin, and myln biggit or to be biggit thairvpoun, as haveing richt flowing and proceeding to him and his predecessouris, fra vmquhile Sir Thomas Dingwall, sumtyme thesanrer of Cathnes and prebender of Kilmoir, to quhome the infestment vnderwrittin of the said place of the said myln, and myln biggit, or to be biggit thairvpoun, wes maid and grantit in maner efterspecifeit : And thairby the said persewer haveing gude and indoubtit richt and interes to persew the action and cause efterfollowing, aganis Johne Bayne of Tullich, provest of the burgh of Dingwall, Kenneth Bayne, and Donald Kempt, bailleis of the said burgh, and remanent bailleis, counsaill, and communitie of ye samiu burgh, makand mentionn that quhair the burgesses and commnities of the said burgh of Dingwall be thair chartour and infestment vnder the commoun seall of the said burgh, and vnder the seall of Donald Walter, ane of the bailleis of the said burgh, gevear of the seasing to the said vmquhile Sir Thomas Dingwall, vpou the said chartour, of the dait the fourt day of October, the zeir of God j^m four huudreth fyftie ane zeiris, with ane consent and assent gaif, grantit, and perpetualie coufirmit to the said Sir Thomas Dingwall, his airis and assignayis, the said place of thair myln and myln to be biggit, or biggit thairvpoun, besyde the brig of vmquhile Robert of Monro vpoun Peffray, on the north syde of the said burgh, with the toft thairof and croft of tua rudis, betuix the quhilkis the watter ran to the said myln, to be haldin of the saidis burgesses and communitie of the said burgh and thair successors in fie and heretage, with multuris and thair sequallis : Aud farder gaif, grantit and

disponit fra them and thair successouris, power to the said vmquhile Sir Thomas Dingwall to elect and imputt ane myller in the said myln, to serve and ministrat thairin als oft as they sall think expedient, with the samin libertie that they vseit in burgh, and with pasturage of twelf kye, tua hors, and threttie scheip, with thair sequallis, with frie ische and entrie to the pasturage and fewall : Promeising and oblcising them and thair successouris to the said vmquhile Sir Thomas, his airis and successouris, that they sall never big ane vther myln nor mylnes within the libertie of the said burgh for ever, bot willit and grantit that the said Sir Thomas, his airis and assignayis, sould frielie and quietlie bruik and posses the said myln, with the mmlturis alsueill of the said burghes awin proper cornes, as of the cornes to be bocht in the said burgh : And that they sould not go to na vther myln to grind thair cornes except it wer publictlie sene that it be in defect of service, off the quhilkis cornes, evin of thair awin proper cornes, they sall mak satisfactioun at the sevintene corne, and sall waitt with thair victuall at the said myln, ay and quhill everie ane of them salbe exped, ilk ane efter vtheris as vse is : And also grantand to the said vmquhile Sir Thomas, his airis and assignayis, their frie licence and special power to remove the said myln frome place to place als oft as neid beis ; paying zeirlie the said vmquhile Sir Thomas and his foirsaidis ane penny within the said mylu at Witsonday, gif it be askit, as the said chartour and infeftment proportis : And seing be proces of tyme the said chartour and infeftment is now becumit almaist vnlegable, and that in the eftercuming ages and be proces of tyme the samin wilbe altogidder vnlegable, quhairby the said persewer will los the richt of the said myln stance and place thairof, toft, croft, and vtheris foirsaidis, and liberteis grantit to the said persewer and his predecessouris of the samin, it is thairfoir necessar that the said originall chartour and infeftment be transumeit befor the lordis of counsaill and sessioun, and the authentick doubill thairof, vnder the signe and subscriptionn mannall of the clerk of register and his deputtis, be delyuerit to the said persewer vpoun his ressonable expenssis, to be keipit and vseit be him as his awin proper evident in time cumyng, and that the saidis lordis of counsaill sall decerne and declair the said transumpt and donbill of the said chartour and infeftment sna to be transumeit and extractit in maner foirsaid to be als valide and sufficient as the said principall chartour and infeftment, and to this effect it is necessar that the provest, bailleis, counsaill and communitie of the said burgh of Dingwall be summonit for thair interessis : And anent the charge gevin to the saidis Johne Bayne of Tullieh, provest, and to the saidis bailleis, counsaill and communitie of the said burgh of Dingwall, to have compeirit befor the lordis of counsaill at ane certane day bigane, to have hard

and sene the foirsaid chartour and infeftment decernit be decreit of the saidis lordis to be authenticklie doubilit and transumeit befor the saidis lordis : And the authentick doubill and transumpt thair of to be delyuerit to the said persewer, vnder the signe and subscripcioun manuall of the clerk of register and his deputtis, vpoun the said persewer his ressonable expenssis and charges, and the said doubill and transumpt of the said chartour and infeftment to have been decernit be the saidis lordis decreit to have als greate force and effect as the said principall chartour and infeftment in all tyme cumyng, as at mair lenth is contenit in the said summoudis : The said George McKenzie of Kildin, persewer, comperand be Mr. Roger Mowatt, his procurator, quha produceit the foirsaid principall chartour and infeftment, of the daitt the fourt day of October the zeir of God j^m four hundreth fyftie ane zeiris, haveing the commoun seall of the said burgh of Dingwall appendit thairto, with ane tag haveand sure affige of the seall worne away of the said Douald Walter, baillie, geuer of the seasing vpoun the foirsaid chartour : And the saidis provest, baillieis, counsaill, and communitie of the burgh of Dingwall, being all lauchfullie summouit to this actioun, oft tymes callit and not compeirit, the foirsaid partie comperaud, richtis, ressonnes, allegatiounes hard, sene, vnderstand, and the saidis ordis thairwith being ryplie advyseit : The Lordis of counsaill decernis and ordinis the foirsaid principall chartour and infeftment to be authenticklie doubilit and transumeit, and the autheutik double and transumpt thair of to be delyuerit to the said persewer, vnder the sigue and subscripcioun manuall of the clerk of register and his deputtis, vpoun the said persewer his ressouable expenssis and charges, and decernis aud ordiuis the samyu doubill and transumpt of the said chartour and infeftment to have als great force and effect as the priucipall chartour and infeftment in all tyme cumyng, of the quhilk chartour the tenuour followis :—

[Here follows the charter, dated 4th October 1451, *supra*, No. 528.]

Becaus the pointis of the said summondis being fundin relevant be the saidis lordis, the samyn wes admittit to the said perseweris probatioun (efter that the saidis defeuderis wer lauchfullie summonit to have compeirit and defeudit thairintill) : The said persewer verefeit and previt the pointis of the said summondis sufficientlie be productioun of the said priucipall chartour in presens of the saidis lordis as wes cleirlye vnderstand to them : And thairfor they gaif thair decreit in maner foirsaid and ordinis lettres to be direct vpoun the premissis gif ueid beis in forme as effeiris :

Extractum de libro actorum per mc dominum Johannem Hamiltoun de Magdelandis, militem, clericum rotulorum registri ac consilii S. D. N.

J. HAMILTON, Cls. Regri.

547. PATENT by KING JAMES THE SEVENTH OF SCOTLAND, creating SIR GEORGE MACKENZIE VISCOUNT OF TARBAT, LORD MACLEOD AND CASTLEHAVEN, 15th April 1685.¹

JACOBUS Dei gratia Magnæ Britanniæ, Franciæ et Hybernæ Rex, fideique defensor, omnibus probis hominibus suis ad quos præsentēs Literæ nostræ pervenerint, salutem. Noveritis nos considerantes omnes honoris et dignitatis titulos in dominiis nostris a nobis, tanquam primo fonte et scaturigine, in subditos nostros de nobis benemeritos unice promanare; et animo nostro regio revolventes perplurima insignia servitia per fidelissimum et dilectissimum nostrum consiliarium dominum Georgium M^cKenzie de Tarbett, nostri concilii, registorum et rotulorum clericum, præstita in officio illo, plurimisque aliis muneribus publicis fidei suæ a dilectissimo nostro fratre Carolo Secundo beatissimæ memoriæ concreditis; atque fidelitatem suam firmam tempore nuperæ execrandæ vsurpationis in memoriam revocantes; hisce ergo plurimisque aliis rationibus præviis, insignem quandam et durabilem regii nostri favoris tesseram in ipsum ejusque familiam, ut iis animus et potentia ulterius addantur ad servitia majoris momenti nobis et illustrissimis nostris successoribus singulis occasionibus præstanda, conferre apud nos benigne statuētes: Igitur nominasse, fecisse, constituisse et creasse, sicuti tenore presentium nominamus, facimus, constituimus et creamus præfatum dominum Georgium M^cKenzie de Tarbett vicecomitem et liberum Parlamenti dominum in antiquo regno nostro, vicecomitem de Tarbat et dominum M^cLeod et Castleheaven nominandum et designandum. Damus pariter, concedimus et conferimus in præfatum dominum Georgium M^cKenzie et hæredes masculos de suo corpore, titulum, ordinem, gradum, dignitatem et honorem vicecomitis et liberi parlamenti domini, vt prædicitur, cum plenaria potestate jure et autoritate ipsi ejusque prædictis eodem, cum omnibus et singulis prerogativis, præcedentiis et præeminentiis, privilegiis, libertatibus, et immunitatibus quibuscunque eo spectantibus fruendi et potiundi. Quibuscum et speciatim cum libero in Parlamento suffragio, dictum dominum Georgium M^cKenzie ejusque prædictos nobilitamus et investimus. Tenendum prædictum titulum, ordinem, gradum, dignitatem et honorem vicecomitis et liberi parlamenti domini, cum omnibus et singulis prærogativis, præcedentiis, præeminentiis, privilegiis, immunitatibus, aliisque quibuscunque eo spectantibus,

¹ The original Patent is in the Cromartie Charter-chest, Bundle III. 3 N. No. 6. Portions of it are obliterated, and the print

has been completed from the copy in the Records of Parliament. [Printed Acts, vol. viii. p. 456.]

præfato domino Georgio McKenzie de Tarbett ejusque prædictis de nobis nostrisque regiis successoribus, in omnibus parliamentis, ordinum conventibus, generalibus conciliis aliisque conventibus quibuscunque, publicis seu privatis, in dicto nostro antiquo regno, tam plenarie et libere in omnibus respectibus et conditionibus, quam quicunque alius vicecomes et liber parlamenti dominus potitus et gauisus est, vel tali titulo, ordine, gradu, dignitate et honore, cum omniibus privilegiis aliisque quibuscunque eo quocunque tempore præterito, presenti seu futuro spectantibus frui aut gaudere poterit. Leoni porro armorum regi suisque fratribus fæcialibus mandamus, ut præfato domino Georgio McKenzie (nunc vicecomiti de Tarbet, domino McLeod, et Castlehaven) tale insigniis suis armoris additamentum, per eum ejusque prædictos utendum, quale conveniens et congruum videbitur, quodque similibus occasiombus concedi solet, dent et præscribant. Declaramus pariter et ordinamus hoc nostrum diploma magno nostro sigillo munitum, tam validum, efficax et sufficiens fore præfato domino Georgio McKeuzie ejus que prædictis pro fruitione dicti tituli, ordinis, gradus, dignitatis, et honoris vicecomitis et liberi parlamenti domini, cum omnibus et singulis prærogativis, præcedentiis, privilegiis, præemiuentiis, immunitatibus, aliisque quibuscunque eo spectantibus, ad omnia intenta et præposita quam si ipse illique iisdem cum omnibus ceremoniis, ritibus, et solemnitatibus quibuscunque casibus ejusmodi antiquitus usitatis investiti et inaugurati essent: quocirca pro nobis nostrisque successoribus tenore presentium in perpetuum dispensamus. In cujus rei testimonium presentibus magnum sigillum nostrum appendi mandavimus; apud aulam nostram de Whythall, decimo quinto die Aprilis anno Domini millesimo sexcentesimo octogesimo quinto, Regni que nostri primo.

Dorso : Sealed att Edinburghe the tuentie thrid day of Aprile 1685.

THO : CUNYNGHAME.

The within writteu patent beeing read in Parliament was ordored to be recorded in the bookes therof, and was there after delivered by the Lord High Chancellor to the Lord Vicecount of Tarbat Lord Mcleod etc. who receaved the samyne wpon his kues. And which patent is accordingly recorded in the Bookes of Parliament by Sir Alexauder Gibsone of Adiestoun, knight, one of the clerks to the Parliament.

AL. GIBSONE.

Edinburgh the twentie third day of Aprile 1685.

548. TRANSLATION OF THE FOREGOING PATENT.

JAMES, by the grace of God, King of Great Britain, France, and Ireland, Defeuder of the Faith, to all his good men to whom these, our present letters, shall come, greeting : Be it known to you, that we, considering that all titles of honour and dignity in our domiuians flow from us alone, as the prime fountain and source, towards our meritorious subjects ; and revolving in our royal mind the very many signal services performed by our faithful and beloved counsellor, Sir George M^cKenzie of Tarbat, Clerk of our Council, Register and Rolls, in that office, and iu many other public duties confided to his faithful charge by our dearest brother Charles the Second, of most blessed memory ; and calling to mind his nnshaken fidelity during the late execrable usurpation, for these and many other reasons foresaid, graciously determining with ourselves to confer upon him and his family some distiguished and enduring token of our royal fauour, that they may have still further enconragement and oppourtunity to perform services of greater moment to us and our most illustrious successors, on all occasions : Therefore, have nominated, made, constituted, and created, likeas, by the tenor of these presents, we nominate, make, constitute, and create, the foresaid Sir George M^cKenzie of Tarbat, Viscount and free Lord of Parliament, in our ancient kingdom, to be named and designed Viscount of Tarbat, and Lord M^cLeod and Castlehaveu. In like manner, we give, grant, and confer upon the foresaid Sir George M^cKeuzie, and the heirs-male of his body, the title, rank, grade, dignity, and honour of Viscount and free Lord of Parliament, as before said, with full power, right, and authority to him and his foresaids to enjoy and possess the same, with all and sundry prerogatives, precedency, and pre-eminencies, privileges, liberties, and immunities whatsoever thereto belongiug ; with which, and specially with a free vote in Parliament, we ennoble and invest the said Sir George M^cKenzie and his foresaids : To be held, the foresaid title, rank, grade, dignity, and honour of Viscount and free Lord of Parliameut, with all and sundry prerogatives, precedencies, pre-eminencies, privileges, immuities, and other rights whatsoever thereto belonging, by the foresaid Sir George M^cKenzie of Tarbat and his foresaids, of us and our royal successors, in all Parliaments, Convention of Estates, General Councils, and other assemblies whatsoever, public or private, in our said ancieut kingdom, as fully aud freely in all respects and conditions as any other Viscount and free Lord of Parliament possessed aud enjoyed, or could possess and enjoy, such title, rauk, grade, dignity and honour, with all privileges and others whatsoever belonging, or that in any time, past, present, or future, did or may belong thereto. Furthermore, we command the Lyon-King-of-Arms, aud his

brother heralds, to give and prescribe to the foresaid Sir George McKenzie (now Viscount of Tarbat, Lord McLeod and Castlehaven) such addition to their armorial bearings by him and his foresaids to be used, as shall seem convenient and befitting, and as is usually granted on such occasions. We declare also and ordain this our diploma, confirmed with our great seal, to be as valid, effectual, and sufficient to the foresaid Sir George McKenzie and his foresaids, for the enjoyment of the said title, rank, grade, dignity, and honour of Viscount and free Lord of Parliament, with all and sundry prerogatives, preccendencies, privileges, pre-eminencies, immunities, and other rights whatsoever, thereto belonging, to all intents and purposes, as if he and they were invested with, and inaugurated in the same, with all the ceremonies, rites, and solemnities, anciently used in such cases, whereanent, for us and our successors, by the tenor hereof, we dispense for ever. In witness whereof, to these presents, we have commanded our great seal to be appended at our Palace of Whitehall, 15th April 1685.

549. PATENT by QUEEN ANNE, creating GEORGE VISCOUNT OF TARBAT, EARL OF CROMARTIE, VISCOUNT OF TARBAT, LORD MACLEOD AND CASTLEHAVEN, 18th September 1703.¹

ANNA Dei gratia Magnæ Britanniae, Franciae et Hiberniae Regina fideique defensor, omnibus probis hominibus, ad quos presentes literæ nostræ pervenerint, salutem. Quandoquidem nos, Regio nostro animo perpendentes fidelitatem continuam et affectum fidelissimi et dilectissimi nostri consanguinei et conciliarii Georgii vicecomitis de Tarbat, nostri principalis Status secretarii pro antiquo regno nostro Scotiae, erga nostram personam et regimen : Et quod diversis insigniis muneribus et stationibus a quinque nostrorum Regiorum prædecessorum ipsi conceditis, summo cum honore et fidelitate functus sit : Ob hasce igitur et perplurimas alias considerationes quendam Regiæ nostræ gratiæ characterem in eundem Georgium vicecomitem de Tarbat conferre benigne statuimus, ut sibi et suæ familiæ durabilis fiat additio honoris. Noveritis igitur nos fecisse, constituisse et creasse, senti per has nostras patentes literas facimus, constituimus et creamus, dictum Georgium vicecomitem de Tarbat comitem de Cromarty, vicecomitem de Tarbat, dominum Mackleod et Castlehaven infra dictum Regnum; dando, concedendo et conferendo prænominato Georgio vicecomiti de Tarbat, et heredibus suis masculis et talliæ titulum, honorem, dignitatem et gradum comitis, cum omnibus et singulis præeminentiis, prærogativis, privilegiis et immunitatibus quibuscunque eo

¹ The Acts of the Parliaments of Scotland, vol. xi. p. 118.

spectantibus, quibuscum nos præfatum Georgium vicecomitem de Tarbat, ejusque prædictos omni tempore futuro per præsentis nobilitamus et iuvestimus : Tenendum et habendum prædictum titulum, honorem, dignitatem et gradum comitis vicecomitis et Domiui, cum universis et singulis prærogativis, præcedentiis, præeminentiis et privilegiis suprascriptis per eundem Georgium vicecomitem de Tarbat, ejusque antedictos, de nobis, nostrisque Regiis successoribus, in omnibus parliamentis, ordinum conventibus, generalibus conciliis aliisque congressibus quibuscunque, publicis sen privatis, in dicto Regno nostro, tam plenarie et libere, in quovis respectu et conditione, quam quivis alius comes, vicecomes et dominus simili titulo, honore et dignitate perprius gavisus est, seu quovis tempore præterito, præsentis vel futuro gaudere poterit. Leoni porro armorum regi ejusque fratribus faccialibus imperamus, ut præfato Georgio vicecomiti de Tarbat nunc comiti de Cromartie talia prioribus insigniis ejus gentilitiis additamenta qualia ipsi illisque hac occasione convenientia videbuntur, dent et præscribant. Ordinando et declarando hasce nostras patentes literas magno nostro sigillo munitas adeo validas, efficaces et sufficientes fore illi ejusque antedictis, pro possidendo prædicto titulo, honore, dignitate et gradu, cum omnibus privilegiis aliisque eo spectantibus, ac si cum omnibus ritibus et solemnitatibus similibus occasionibus perprius usitatis ille ejusque prædicti investiti et inaugurati essent : quocirca dispensavimus, perque presentes in perpetuum dispensavimus. In cujus rei testimonium præsentibus magnum sigillum nostrum appendi præcepimus ; apud Aulam nostram de St. James's primo die mensis Jauuarii anno Domini millesimo septingentesimo tertio et anno Regni nostri primo. Per signaturam manu S. D. N. Reginae suprascriptam. Written to the great Seal and registrat the eighteenth day of September 1703. Sic subscribitur Charles Kerr. Scaled at Ediuburgh the eighteenth day of September one thousand seven hundreth and three years, by special order till the Seal be renewed. Sic subscribitur

ALEX^R. OGILVIE.

550. TRANSLATION OF THE FOREGOING PATENT.

ANNE, by the grace of God, Queen of Great Britain, France, and Ireland, Defender of the Faith, to all good men, to whom these our present letters shall come, greeting : Whereas we, carefully weighing in our royal mind the constant fidelity and affection of our most faithful and beloved cousin and counsellor, George Viscount of Tarbat, our principal Secretary of State for our ancient kingdom of Scotland, towards our person and government, and that in divers offices and appointments intrusted to him by five

of our royal predecessors, he has acquitted himself with the greatest honour and fidelity: Therefore, on account of these and many other considerations, we have graciously determined to confer such a mark of our royal favour on the said George Viscount of Tarbat, as may be a lasting addition of honour to himself and his family. Be it known, therefore, that we have made, constituted, and created, likeas by these our letters-patent, we make, constitute, and create the said George Viscount of Tarbat, Earl of Cromartie, Viscount of Tarbat, Lord Macleod and Castlehaven, within the said kingdom; giving, granting, and conferring to and upon the foresaid George Viscount of Tarbat, and his heirs-male and of tailie, the title, honour, dignity, and degree of an Earl, with all and sundry pre-eminencies, prerogatives, privileges, and immunities whatsoever thereunto belonging, with which we, by these presents, nobilitate and invest the foresaid George Viscount of Tarbat, and his foresaids, in all time coming: To be holden and to hold the foresaid title, honour, dignity, and degree of Earl, Viscount, and Lord, with all and sundry prerogatives, precedencies, pre-eminencies, and privileges aforesaid, by the said George Viscount of Tarbat and his foresaids, of us and our royal successors, in all Parliaments, Conventions of Estates, General Councils, and other public or private meetings whatsoever, in our said kingdom, as fully and freely in all respects and conditions, as any other Earl, Viscount, and Lord have enjoyed, or may enjoy the like title, honour, and dignity at any time, past, present, or to come. Furthermore, we command the Lyon-King-of-arms and his brethren heralds to give and prescribe to the foresaid George Viscount of Tarbat, now Earl of Cromartie, such an addition to his former coat-of-arms as shall by him and them be thought convenient upon this occasion: Ordaining and declaring these our letters-patent, extended under our great seal, to be as valid, effectual, and sufficient to him and his foresaids, for enjoying the foresaid title, honour, dignity, and degree, with all the privileges and others thereunto belonging, as if he and they were invested and inaugurated therein with all the formalities and ceremonies formerly in use upon the like occasions; wherewith we have dispensed, and hereby dispense for ever. In witness whereof, we have commanded our great seal to be appended to these presents. At our Court at St. James's, the first day of the month of January, the year of God one thousand seven hundred and three, and of our reign the first year. By signature superscribed with the hand of our Sovereign Lady the Queen.¹

¹ Patent, *supra*, p. 352. Original Patent at Tarbat House, also printed in the Acts of the Parliaments of Scotland, vol. xi. p. 118.

551. WARRANT by QUEEN ANNE for a PATENT creating GEORGE VISCOUNT OF TARBAT, EARL OF CROMARTIE, etc., 1st January 1703.

ANNE, R.

OUR SOVERAIGN LADY, taking into her royall consideration the constant loyalty and affection of her right trusty and well-beloved cousin and counsellor, George Viscount of Tarbat, her Majesty's Principal Secretary of State for the Kingdom of Scotland, to her Majesty's person and Government, and that he had, with great honour and fidelity, acquitted himself in severall great trusts and stations in which he had been employed by five of her Majesty's royall predecessors, upon which, and many others considerations, her Majesty is resolved to confer such a mark of her royall favour upon the said George Viscount of Tarbat as may be a lasting addition of honour to himself and family : Therefor her Majesty ordains a Patent to be made and past under the Great Seal of her Majesty's said ancient kingdom, making, constituting, and creating, likeas her Majesty, by these presents, makes, constituts, and creates the said George Viscount of Tarbat, Earle of Cromartie, Viscount of Tarbat, Lord Macleod and Castlehaven in the said kingdom ; giving, granting, and conferring, to and upon the said George Viscount of Tarbat, and his heirs-male and of taillie, the title, honour, dignity, and degree of an Earle, with all and sundry preheminencies, prerogatives, priviledges, and immunities whatsoever thereunto belonging, whereby her Majesty hereby nobilitats and invests the said George Viscount of Tarbat and his foresaids, in all time coming ; to be holden, and to hold the said title, honour, dignity, and degree of Earle, Viscount, and Lord, with all and sundry prerogatives, precedencies, preheminencies, and priviledges aforesaid, by the said George Viscount of Tarbat, and his foresaids, of her Majesty and her royall successors in all Parliaments, Conventions of Estates, General Councils, and other publick and privat meetings whatsoever within the said kingdom, as fully and freely in all respects and conditions as any other Earle, Viscount, and Lord have enjoyed, or may enjoy, the like title, honour, and dignity, at any time, past, present, or to come ; commanding hereby the Lyon-King-of-Arms and his brethren heraulds to give and prescrive to the said George Viscount of Tarbat, now Earle of Cromarty, such an addition to his former coat-of-arms as shall by him and them be thought convenient upon this occasion : And ordaining and declaring the said Letter Patent, extended under the Great Seal aforesaid, to be as valid and effectuell to him and his foresaids for enjoying the said title, honour, dignity, and degree, with all the priviledges and others thereunto belonging, as if he and they were invested and inaugurated therein with all the formalities and

ceremonies formerly in use upon the like occasions, wherewith her Majesty, for herself and her royall successors, hath dispensed, and hereby dispenses for ever: And her Majesty ordains these presents to be extended in the most ample form, with all clauses needfull, and to pass the Great Seal aforesaid *per saltum*, without passing any other seal or register; for doing whereof, these presents shall be to the Director of her Majesty's Chancellery for writing the same, and to the Lord High Chancellor for causing the seal to be appended thereto a sufficient warrant.—Given at her Majesty's Court at St. James's, the first day of January 170 $\frac{2}{3}$, and of her Majesty's reign the first year.

MAY IT PLEASE YOUR MAJESTY,—

These contain your Majesty's warrant for a Patent to be past *per saltum* under your Majesty's Great Seal of Scotland, upon the considerations above mentioned, making, constituting, and creating your Majesty's right trusty and well-beloved cousin and councillor, George Viscount of Tarbat, one of your Majesty's Principal Secretaries of State, Earle of Cromartie, Viscount of Tarbat, and Lord Macleod and Castlehaven, in your said kingdom; giving, granting, and conferring to and upon him, and his heirs-male and of taillie, the title, honour, dignity, and degree of an Earle, with all and sundry prerogatives, preheminencies, precedencies, and priviledges thereunto belonging, with which your Majesty hereby nobilitats and invests the said Viscount of Tarbat and his foresaids in all time coming; with command to your Lyon-King-of-Arms and his brethren heranlds to give to him such an addition to his former coat-armoriall as shall be thought convenient: And declaring this present Patent, extended under your Great Seal, to be as effectuall to the said Viscount of Tarbat, now Earle of Cromartie, and his foresaids, for enjoying the said title, honour, and dignity, with all the priviledges thereunto belonging, as if he and they were invested and inaugurated therein with all the ceremonies and formalities formerly used upop such occasions. QUEENSBERRY.

552. WARRANT by QUEEN ANNE for a PATENT creating KENNETH MACKENZIE, second son of George Earl of Cromartie, a KNIGHT-BARONET, proceeding on a Resignation by his Father, 29th April 1704.

ANNE, R.

OUR SOVERAIGNE LADY, considering that virtue and valour can be nowayes better advanced and cherished than by endowing men of generous minds with titles of honor and dignity, wherby they are invited to noble and famous actiones, and her Majestie

calling to mind that her Majestie's royall grandfather, King Charles the First, of ever blissed memorie, for the great, good, and acceptable services done and performed by unquihile Sir John Mackenzie of Tarbat to his Majestie for the benefite and encrease of the plantations in America and elsewhere, and for his and his predecessors' great valour and merit, did make, constitute, and ordaine the said Sir John Mackenzie of Tarbat, and his heirs-male whatsumever, in and to the heretable state, degree, order, name, dignity, and style of Baronet, with all and sundrie prerogatives, precedencies, prehemen-
cies, immunities, liberties, priviledges, and others belonging therto, conforme to ane patent and chartour under his Majestie's Great Seall, granted to the said Sir John Mackenzie theranent, of the date, at Whitehall, the twenty-first day of May, Jm vj^e
twenty-eight years : And George, now Earle of Cromarty, being eldest lawfull sone and heir-male to the said unquihile Sir John Mackenzie of Tarbat, his father, and thereby his
said title, honor, and dignity of Earle would make his said father's title, honor, degree,
order, and stile of Knight-Baronet to be forgotten and buried in oblivione, at least the one would swallow up or confound the other unless the same were otherwayes revived and continued, and her Majestie being most willing that the forsaid heretable state, degree,
order, name, dignity, and style of Baronet should be continued with and conferred upon the posterity of the said unquihile Sir John Mackenzie of Tarbat ; lykeas for that end the said George Earle of Cromarty, as heir-male forsaid, by his patent letters and procuratory of resignatione, made, granted, and subscribed by him, of the date the
day of years, resigned the forsaid heretable state, degree, order,
name, dignity, and stile of Baronet, with all the prerogatives, priviledges, precedences,
prehemences, immunities, liberties, and others belonging therto, at length specified
and contained in the forsaid patent and chartour abovementioned, in the hands of our
said Sovereign Lady the Queen's most excellent Majestie, the fountain and origine of
all honor and dignitie, in favoures, and for a new patent, gift, and grant of the same,
to be made and granted to and in favours of Mr. Kenneth Mackenzie, his second lawfull
sone, and his heirs-male, for ever, as authentick instruments taken therupon in them-
selves at more length proport ; and whilks resignation and dimissione of the forsaid
heretable state, degree, order, name, dignity, and style of Baronet, with the priviledges,
prerogatives, prehemeneces, precedences, and others forsaid belonging therto, her Majestie
has graciously accepted and received : And her Majestie conceiving great hopes of the
vertue, valour, and merit of the said Mr. Kenneth Mackenzie as a person worthie to
bruike, and enjoy the vertues, honors, and titles of his worthie predecessors, therfor,
and for the good and faithfull services done and performed by the said Mr. Kenneth

Mackenzie, and his worthy and well-deserving predecessors, to her Majestie and her royall progenitors, our said Sovereign Lady ordaines a patent to be made and past under the Great Seall of her Majestie's said ancient kingdom of Scotland, giveing, granting, renewing, and confirmeing, lykeas her Majestie, of her Highness certaiu knowledge, proper motive, speciall grace and favour, and of her Majestie's princely and ample power and prerogative royall, for herself and her royall successors, be thir presents, give, grant, renew, and conferr, to and upon her said Majestie's said trustie and well-beloved Mr. Kenueth Mackenzie, second lawfull sone to the said George Earle of Cromarty, his father, and grandsons to the said umquhile Sir John Mackenzie of Tarbat, his grandfather, for their known loyalty, value, vertue, and integrity, and to and upon his heirs-male for ever, the forsaid heretable state, degree, order, name, dignity, and style of Knight-Baronet, with all and suudry prerogatives, precedencies, prehemenicies, places, ranks, immunities, liberties, priviledges, and others belouging therto, as the samen were given, granted to, conferred upon, and enjoyed and possessed be the said umquhile Sir John Mackenzie of Tarbat, his grandfather, or might have been enjoyed and poss[ess]ed be him and his heirs-male aforsaid, conforme to the ancient patent and chartour abovementioned, granted to him theranent, under the Great Seall of her Majestie's said ancient kingdom of Scotland, of the date the said twenty-first day of May Jm vj^e twenty-eight, and alsweel as if the said Mr. Kenneth McKenzie had been then existing and specially named and designed therein : And her Majestie does hereby make, constitute, creat, and ordaiue the said Mr. Kenueth Mackenzie, and his heirs-male aforsaid, for ever, Knights-Baronets, ordaining and appoynting them, and their wives and children respective, to bruike, enjoy, and possess not only the lyke title, honor, dignity, and stile of Knight-Baronet, with place and precedency, both iu privat and publick, after the date of thir presents, as any other Knights-Baronet within the said kiugdom, and their wives and children, at any tym bygou have bruike and enjoyed, or may bruike and enjoy the same iu tym comeing, but also to bruike, enjoy, hold, continue, and possess the forsaid heretable state, order, name, dignity, and style of Knight-Baronet, with all the same prerogatives, privileges, precedences, ranks, place, priority, dignitie, immunities, liberties, casualities, and priviledges whatsumever that the said umquhile Sir John Mackenzie of Tarbat, and his heirs-male, and his other children, male and female, and their wives and husbands, and their posterity, bruike, enjoyed, held, and possest, or might or may bruike, enjoy, hold, and possess the same in all places, meetings, assemblies, and conventiones, in privat or publick, at any tym bygon or to come, by vertue of the originall patent and chartour abovementioned, after the forme

and tenor therof, in all poynts, together with all other formalities and solemnities whatsumever, used upon the lyke occasions: And her Majestie wills and grants, and for her Highness and her royall successors decerns and ordaines, that the generality hereof shall be als valid and sufficient, and of als great strength, force, and effect, to all intents and purposes, as if the same were particularly, and word be word, at length herein insert and set down, albeit the same be not swa done; wheranent, and with all that may follow hereupon, her Majestie has dispenced, and for her Highness and her royall successors, be thir presents, dispenses for ever: And our said Sovereign Lady hereby commands the Lyon-King-at-Armes and his brethreu heraulds to give and prescribe to the said Mr. Kenneth Mackenzie and his forsaid such armes, or such additiones to his present coat-of-armes as shall by him or them be thought fitt and convenient upon this occasione, or that they should have, bear, possess, and enjoy, be vertue of the originall patent and chartour abovementioned, which for that end is hereby renewed, ratified, and confirmed to them in all poynts: And her Majestie ordaines the forsaid patent to be extended in the best and most ample forme, with all clauses needfull, and to pass the Great Seall of her Highness said ancient kingdom *per saltum*, without passing any other seall or register: In order whereunto, thir presents shall be to the director of her Majestie's Chancellary for writing the same, and to the Lord High Chancelour for causing the said Great Seall be appended therto a sufficient warrand. Given att her Majestie's Court, at Kingsingtoun, the twenty-ninth day of Aprile, one thousand seven hundered and four years, and of her Majestie's reign the third year.

MAY IT PLEASE YOUR MAJESTY,—

These containe your Majestie's warrant for a letter patent, to be made and past under the Great Seal of your Majestie's antient kingdom of Scotland (proceeding upon the Resignation of George Earle of Cromertie), giving, granting, renewing, and conferring on Mr. Keneth M^cKenzie, second lawfull son to the said Earle, and grandson to the abovementioned Sir John M^cKenzie of Tarbat, and to and upon his heirs-male for ever, the title, state, degree, order, dignity, and stile of Knight-Baronet, with all and sundry prerogatives, precedencies, preheminencies, places, ranks, immunities, liberties, privileges, and others belonging thereto, as the same was given, granted to, conferr'd upon, enjoy'd, and possess by the said Sir John M^cKenzie of Tarbat, his grandfather, conform to the autient patent abovementioned: And your Majestie does hereby constitute, create, and ordaine the said Mr. Keneth M^cKenzie, and his forsaid, Knights-Baronets, ordaining and appointing them, and their wives and

children respective, to bruike, enjoy, and possess not only the title of honor and dignity of Knight-Baronet, with place and precedence, both in private and publick, after the date of thir presents, but also to bruike and enjoy, hold, continue, and possess the forsaid heretable state, order, name, and dignity of Knight-Baronet, with all the prerogatives and others abovementioned thereto belonging in all places, meetings, assemblies, and conventions, in private and publick, as fully and freely in all respects as any others Knights-Baronets within the said kingdom, their wives and children, at any time bygon have bruike and enjoyed, or may bruike and enjoy the same in time coming : And your Majesty commands the Lyon-King-at-Arms and his bretheren heraulds to give and prescribe to the said Mr. Keneth and his forsaid such arms and additions to his present coat-of-arms as shall be thought by them convenient, etc. : And your Majestic ordains the forsaid patent in the most ample forme, and to pass the Great Seal aforsaid *per saltum*.
CROMERTIE.¹

553. DIPLOMA to MASTER JAMES MACKENZIE, son of George Earl of Cromartie, of the title of KNIGHT-BARONET. 8th February 1704.

ANNA Dei gratia Magnæ Britanniae, Franciae et Hiberuiae Regina, fideique Defensor, omnibus hominibus ad quos presentes literae pervenerint salutem. Quandoquidem nos regio nostro animo perpendentes bona et grata admodum servitia nobis praestita per Magistrum Jacobum McKeinzie, filium fidelissimi et dilectissimi nostri consanguinei et consilarii Georgii Comitis de Cromartie, unius ex principalibus nostris Status Secretariis pro antiquo regno nostro Scotiae, atque etiam permulta egregia et insignia servitia per dictum comitem nobis nostrisque regiis progenitoribus peracta ; ob hasce igitur aliasque bonas considerationes, durabilem characterem regii nostri favoris in dictum Magistrum Jacobum McKeinzie ejusque haeredes infrascriptos conferre statuimus. Noveritis igitur nos dedisse, concessisse et contulisse, sicuti nos tenore praesentium damus, concedimus et conferimus in dictum nostrum Jacobum McKeinzie et haeredes ejus masculos in aeternum, titulum, honorem, gradum, ordinem et dignitatem Militis Baronetti ; atque eum ejusque praedictos dicto titulo, cum loco et praecedentia, omnibusque aliis privilegiis ad milites baronetos spectantibus, frui et gaudere ordinamus ; et uxores et liberos praedicti Magistri Jacobi McKeinzie, ejusque haeredum, praedictum titulum, locum et praecedentiam, tam publice quam privatim, post datam praesentium, eodem modo ac quavis alii

¹ A diploma in terms of the above warrant passed the Great Seal, 29th April 1704.—[Registrum Magni Sigilli, Lib. lxxx. No. 96.]

milites baronetti, eorumque uxores et liberi, potiti et gavisī sunt, seu in futurum potiri et gaudere poterint, habere et possidere volumus : cumque generalitate præsentium, omnibusque aliis formalitatibus et solennitatibus similibus occasionibus perprius usitatis dispensamus. Leoni porro armorum regi ejusque fratribus fæcialibus prædicto Magistro Jacobo McKeinzie talia insignia armorea, vel prioribus additamenta quæ huic occasione congrua et convenientia videbuntur, dare et præscribere imperamus. In ejus rei testimonium præsentibus magnum sigillum nostrum appendi mandavimus. Apud aulam nostram de Saint James's, octavo die mensis Februarii, anno Domini millesimo septingentesimo quarto, et anno regni nostri secundo.

Per signaturam manu S.D.N. Reginae suprascriptam.¹

554. LETTERS PATENT by HER MAJESTY QUEEN VICTORIA, creating HER GRACE ANNE DUCHESS OF SUTHERLAND, COUNTESS OF CROMARTIE, VISCOUNTESS TARBAT OF TARBAT, BARONESS CASTLEHAVEN OF CASTLEHAVEN, AND BARONESS MACLEOD OF CASTLE LEOD, on 21st October [1861].

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to all Archbishops, Dukes, Marquesses, Earls, Viscounts, Bishops, Barons, Knights, Provosts, Freemen, and all other our Officers, Ministers, and Subjects whatsoever to whom these presents shall come, greeting : KNOW YE that we, of our especial grace, certain knowledge, and mere motion have advanced, preferred, and created our right trusty and right entirely beloved Anne Duchess of Sutherland, wife of our right trusty and right entirely beloved George Granville William, Duke and Earl of Sutherland, to the state, degree, dignity, and honor of BARONESS MACLEOD of Castle Leod, in our county of Cromartie ; and her, the said Anne Duchess of Sutherland, Baroness Macleod of Castle Leod aforesaid, do, by these presents, create, advance, and prefer, and we have appointed, given, and granted, and by these presents, for us, our heirs and successors, do appoint, give, and grant unto her, the said Anne Duchess of Sutherland, the name, state, degree, style, dignity, title, and honor of Baroness Macleod of Castle Leod aforesaid : TO HAVE AND TO HOLD the said name, state, degree, style, dignity, title, and honor of Baroness Macleod of Castle Leod aforesaid unto her, the said Anne Duchess of Sutherland, for and during the term of her natural life ; and after the decease of the said Anne Duchess of

¹ Registrum Magni Sigilli, Lib. lxxx. No. 24.

Sutherland, to have and to hold the name, state, degree, style, dignity, title, and honor of Baron Macleod of Castle Leod, in our county of Cromartie, unto our trusty and well-beloved Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), the second surviving son of the said Anne Duchess of Sutherland, and the heirs-male of his body lawfully begotten and to be begotten ; and in default of such issue, to each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and to the heirs-male of the body and respective bodies of such sons, severally and successively, one after another, as they shall be according to seniority of age and priority of birth, the elder of such sons and the heirs-male of his body always to be preferred and take before the younger of such sons and the heirs-male of his and their respective body and bodies ; and in default of such issue, to have and to hold the said name, state, degree, style, dignity, title, and honor of Baron Macleod of Castle Leod aforesaid, or, in respect of any female taking, under this grant, the said name, state, degree, style, dignity, title, and honor of Baroness Macleod of Castle Leod aforesaid, unto the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs of his body lawfully begotten and to be begotten ; and in default of such issue, to each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and to the heirs of the body and respective bodies of such sons, severally and successively, one after another, as they shall be according to seniority of age and priority of birth, the elder of such sons and the heirs of his body always to be preferred and take before the younger of such sons, and the heirs of his and their respective body and bodies ; and in default of such issue, to our trusty and well-beloved Florence Sutherland Leveson-Gower (commonly called Lady Florence Sutherland Leveson-Gower), daughter of the said Anne Duchess of Sutherland, and the heirs of her body lawfully begotten and to be begotten ; and in default of such issue, to each of the other daughters of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and to the heirs of the body and respective bodies of such daughters, severally and successively, one after another, as they shall be according to seniority of age and priority of birth, the elder of such daughters and the heirs of her body always to be preferred and take before the younger of such daughters and the heirs of her and their respective body and bodies : Willing, and by these presents granting, for us, our heirs and successors, that the said Anne Duchess of Sutherland may bear and have the name, state, degree, style, dignity, title, and honor of Baroness Macleod of Castle Leod aforesaid, and

that after her decease the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs-male of his body aforesaid ; and in default of such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs-male of his and their body and respective bodies, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs of his body aforesaid ; and in default of such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs of the body and respective bodies of such sons, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Florence Sutherland Leveson-Gower (commonly called Lady Florence Sutherland Leveson-Gower), and the heirs of her body aforesaid ; and in default of such issue, the other daughters of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs of the body and respective bodies of such daughters, severally and successively, one after another, as aforesaid, may bear and have the said name, state, degree, style, dignity, title, and honor of Baron Macleod of Castle Leod aforesaid ; or in respect of any female taking under this grant the said name, state, degree, style, dignity, title, and honor of Baroness Macleod of Castle Leod aforesaid, and that they and every of them successively may be called and styled by the name of Baron Macleod of Castle Leod, in our county of Cromartie ; or in respect of any female taking under this grant, may be called and styled by the name of Baroness Macleod of Castle Leod, in our county of Cromartie : And that the said Anne Duchess of Sutherland may in all things be held and deemed Baroness Macleod of Castle Leod aforesaid, and be treated and reputed as a Baroness, and that after her decease the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs-male of his body aforesaid ; and in default of such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs-male of his and their body and bodies, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs of his body aforesaid ; and in default of such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs of the body and respective bodies of such sons, severally and successively, one after another, as aforesaid ; and in

default of such issue, the said Florence Sutherland Leveson-Gower (commonly called Lady Florence Sutherland Leveson-Gower), and the heirs of her body aforesaid ; and in default of such issue, the other daughters of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs of the body and respective bodies of such daughters, severally and successively, one after another, as aforesaid, may in all things be held and deemed Barons Macleod of Castle Leod aforesaid ; or in respect of any female taking under this grant may in all things be held and deemed Baronesses Macleod of Castle Leod aforesaid, and be treated and reputed as Barons and Baronesses respectively ; and that the said Barons Macleod of Castle Leod aforesaid, and every of them, successively and respectively, may have, hold, and possess a seat, place, and voice in the Parliaments and Public Assemblies and Councils of us, our heirs and successors, within our United Kingdom of Great Britain and Ireland, amongst other Barons, as Barons of Parliament and Public Assemblies and Councils : And also that she, the said Anne Duchess of Sutherland, by the name of Baroness Macleod of Castle Leod aforesaid, and after her decease the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs-male of his body aforesaid ; and in default of such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs-male of his and their body and respective bodies, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs of his body aforesaid ; and in default of such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs of the body and respective bodies of such sons, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Florence Sutherland Leveson-Gower (commonly called Lady Florence Sutherland Leveson-Gower), and the heirs of her body aforesaid ; and in default of such issue, the other daughters of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs of the body and respective bodies of such daughters, severally and successively, one after another, as aforesaid, may enjoy and use, and every of them may enjoy and use, by the name of Baron Macleod of Castle Leod aforesaid, or in respect of any female taking under this grant, may enjoy and use, by the name of Baroness Macleod of Castle Leod aforesaid, all and singular the rights, privileges, pre-eminences, immunities, and advantages to the degree of a Baron or Baroness, respectively, in all things duly and of right belonging which other Barons

and Baronesses of this our United Kingdom of Great Britain and Ireland have heretofore honorably and quietly used and enjoyed, or as they do at present use and enjoy. AND, MOREOVER, know ye, that we of our further especial grace, certain knowledge, and mere motion, have advanced, preferred, and created the said Anne Duchess of Sutherland to the state, degree, dignity, and honour of BARONESS CASTLEHAVEN of Castlehaven, in our county of Cromartie; and her, the said Anne Duchess of Sutherland, Baroness Castlehaven of Castlehaven aforesaid, do, by these presents, create, advance, and prefer, and we have appointed, given, and granted, and by these presents, for us, our heirs and successors, do appoint, give, and grant unto her, the said Anne Duchess of Sutherland, the name, state, degree, style, dignity, title, and honour of Baroness Castlehaven of Castlehaven aforesaid: To HAVE AND TO HOLD the said name, state, degree, style, dignity, title, and honour of Baroness Castlehaven of Castlehaven aforesaid, unto her, the said Anne Duchess of Sutherland, for and during the term of her natural life; and after the decease of the said Anne Duchess of Sutherland, to have and to hold the name, state, degree, style, dignity, title, and honor of Baron Castlehaven of Castlehaven, in our county of Cromartie, unto the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), the second surviving son of the said Anne Duchess of Sutherland, and the heirs-male of his body lawfully begotten and to be begotten; and in default of such issue, to each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and to the heirs-male of the body and respective bodies of such sons, severally and successively, one after another, as they shall be according to seniority of age and priority of birth, the elder of such sons and the heirs-male of his body always to be preferred and take before the younger of such sons and the heirs-male of his and their respective body and bodies; and in default of such issue, to have and to hold the said name, state, degree, style, dignity, title, and honor of Baron Castlehaven of Castlehaven aforesaid; or in respect of any female taking under this grant the said name, state, degree, style, dignity, title, and honor of Baroness Castlehaven of Castlehaven aforesaid, unto the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs of his body lawfully begotten and to be begotten; and in default of such issue, to each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and to the heirs of the body and respective bodies of such sons, severally and successively, one after another, as they shall be according to seniority of age and priority of birth, the elder of such sons and the heirs

of his body always to be preferred and take before the younger of such sons and the heirs of his and their respective body and bodies ; and in default of such issue, to the said Florence Sutherland Leveson-Gower (commonly called Lady Florence Sutherland Leveson-Gower), and the heirs of her body lawfully begotten and to be begotten ; and in default of such issue, to each of the other daughters of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and to the heirs of the body and respective bodies of such daughters, severally and successively, one after another, as they shall be according to seniority of age and priority of birth, the elder of such daughters and the heirs of her body always to be preferred and take before the younger of such daughters and the heirs of her and their respective body and bodies : Willing, and by these presents granting, for us, our heirs and successors, that the said Anne Duchess of Sutherland may bear and have the name, state, degree, style, dignity, title, and honor of Barouess Castlehaven of Castlehaven aforesaid, and that after her decease the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs-male of his body aforesaid ; and in default of such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs-male of his and their body and respective bodies, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs of his body aforesaid ; and in default of such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs of the body and respective bodies of such sons, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Florence Sutherland Leveson-Gower (commonly called Lady Florence Sutherland Leveson-Gower), and the heirs of her body aforesaid ; and in default of such issue, the other daughters of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs of the body and respective bodies of such daughters, severally and successively, one after another, as aforesaid, may bear and have the said name, state, degree, style, dignity, title, and honor of Baron Castlehaven of Castlehaven aforesaid ; or in respect of any female taking under this grant, the said name, state, degree, style, dignity, title, and honor of Baroness Castlehaven of Castlehaven aforesaid, and that they and every of them successively may be called and styled by the name of Baron Castlehaven of Castlehaven, in our county of Cromartie ; or in respect of any female taking under this grant, may be called and styled by the name of Baroness Castlehaven of Castlehaven in

our county of Cromartie : And that she, the said Anne Duchess of Sntberland, may in all things be held and deemed Baroness Castlehaven of Castlehaven aforesaid, and be treated and reputed as a Baroness, and that after her decease the said Francis Snterland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs-male of his body aforesaid ; and in default of such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs-male of his and their body and bodies, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Snterland Leveson-Gower), and the heirs of his body aforesaid ; and in default of such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs of the body and respective bodies of such sons, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Florence Sutherland Leveson-Gower (commonly called Lady Florence Sutherland Leveson-Gower), and the heirs of her body aforesaid ; and in default of such issue, the other daughters of the said Anne Dnchess of Sutherland, by her present or any future hnsband hereafter to be begotten, and the heirs of the body and respective bodies of such daughters, severally and successively, one after another, as aforesaid, may in all things be held and deemed Barons Castlehaven of Castlehaven aforesaid, or in respect of any female taking under this grant, may in all things be held and deemed Baronesses Castlehaven of Castlehaven aforesaid, and be treated and reputed as Barons and Baronesses respectively : And that the said Barons Castlehaven of Castlebaven aforesaid, and every of them, successively and respectively, may have, hold, and possess a seat, place, and voice in the Parliaments and Public Assemblies and Councils of us, our heirs and successors, within our United Kingdom of Great Britain and Ireland, amongst other Barons, as Barons of Parliament and Public Assemblies and Councils ; and also that she, the said Anne Dnchess of Sutherland, by the name of Baroness Castlehaven of Castlehaven aforesaid, and after her decease the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs-male of his body aforesaid ; and in default of such issue, each of the other younger sons of the said Anne Duchess of Sntberland, by her present or any future husband hereafter to be begotten, and the heirs-male of his and their body and respective bodies, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Francis Snterland Leveson-Gower (commonly called Lord Francis Snterland Leveson-Gower), and the heirs of his body aforesaid ; and in

default of such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs of the body and respective bodies of such sons, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Florence Sutherland Leveson-Gower (commonly called Lady Florence Sutherland Leveson-Gower), and the heirs of her body aforesaid ; and in default of such issue, the other daughters of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs of the body and respective bodies of such daughters, severally and successively, one after another, as aforesaid, may enjoy and use, and every of them may enjoy and use, by the name of Baron Castlehaven of Castlehaven aforesaid, or in respect of any female taking under this grant, may enjoy and use, by the name of Baroness Castlehaven of Castlehaven aforesaid, all and singular the rights, privileges, pre-eminences, immunities, and advantages to the degree of a Baron or Baroness, respectively, in all things duly and of right belonging which other Barons and Baronesses of this our United Kingdom of Great Britain and Ireland have heretofore honorably and quietly used and enjoyed, or as they do at present use and enjoy. AND, MOREOVER, know ye that we, of our further especial grace, certain knowledge, and mere motion, have advanced, preferred, and created the said Anne Duchess of Sutherland to the state, degree, dignity, and honor of VISCOUNTESS TARBAT of Tarbat, in our county of Cromartie ; and her, the said Anne Duchess of Sutherland, Viscountess Tarbat of Tarbat aforesaid, do, by these presents, create, advance, and prefer, and we have appointed, given, and granted, and by these presents, for us, our heirs and successors, do appoint, give, and grant unto her, the said Anne Duchess of Sutherland, the name, state, degree, style, dignity, title, and honor of Viscountess Tarbat of Tarbat aforesaid : TO HAVE AND TO HOLD the said name, state, degree, style, dignity, title, and honor of Viscountess Tarbat of Tarbat aforesaid, unto her, the said Anne Duchess of Sutherland, for and during the term of her natural life ; and after the decease of the said Anne Duchess of Sutherland, to have and to hold the name, state, degree, style, dignity, title, and honor of Viscount Tarbat of Tarbat, in our county of Cromartie, unto the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), the second surviving son of the said Anne Duchess of Sutherland, and the heirs-male of his body lawfully begotten and to be begotten ; and in default of such issue, to each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and to the heirs-male of the body and respective bodies of such sons, severally and successively, one after another, as they

shall be according to seniority of age and priority of birth, the elder of such sons and the heirs-male of his body always to be preferred and take before the younger of such sons and the heirs-male of his and their respective body and bodies ; and in default of such issue, to have and to hold the said name, state, degree, style, dignity, title, and honor of Viscount Tarbat of Tarbat aforesaid ; or in respect of any female taking under this grant, the said name, state, degree, style, dignity, title and honor of Viscountess Tarbat of Tarbat aforesaid, unto the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs of his body lawfully begotten and to be begotten ; and in default of such issue, to each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and to the heirs of the body and respective bodies of such sons, severally and successively, one after another, as they shall be according to seniority of age and priority of birth, the elder of such sons and the heirs of his body always to be preferred and take before the younger of such sons and the heirs of his and their respective body and bodies ; and in default of such issue, to the said Florence Sutherland Leveson-Gower (commonly called Lady Florence Sutherland Leveson-Gower), and the heirs of her body lawfully begotten and to be begotten ; and in default of such issue, to each of the other daughters of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and to the heirs of the body and respective bodies of such daughters, severally and successively, one after another, as they shall be according to seniority of age and priority of birth, the elder of such daughters and the heirs of her body always to be preferred and take before the younger of such daughters and the heirs of her and their respective body and bodies : Willing, and by these presents granting, for us, our heirs and successors, that the said Anne Duchess of Sutherland may bear and have the name, state, degree, style, dignity, title, and honor of Viscountess Tarbat of Tarbat aforesaid ; and that after her decease the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs-male of his body aforesaid ; and in default of such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs-male of his and their body and respective bodies, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs of his body aforesaid ; and in default of such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs

of the body and respective bodies of such sons, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Florence Sutherland Leveson-Gower (commonly called Lady Florence Sutherland Leveson-Gower), and the heirs of her body aforesaid ; and in default of such issue, the other daughters of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs of the body and respective bodies of such daughters, severally and successively, one after another, as aforesaid, may bear and have the said name, state, degree, style, dignity, title, and honor of Viscount Tarbat of Tarbat aforesaid ; or in respect of any female taking under this grant, the said name, state, degree, style, dignity, title, and honor of Viscountess Tarbat of Tarbat aforesaid ; and that they and every of them successively may be called and styled by the name of Viscount Tarbat of Tarbat, in our county of Cromartie ; or in respect of any female taking under this grant may be called and styled by the name of Viscountess Tarbat of Tarbat, in our county of Cromartie : And that she, the said Anne Duchess of Sutherland, may in all things be held and deemed Viscountess Tarbat of Tarbat aforesaid, and be treated and reputed as a Viscountess ; and that after her decease the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs-male of his body ; and in default of such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs-male of his and their body and bodies, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs of his body aforesaid ; and in default of such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs of the body and respective bodies of such sons, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Florence Sutherland Leveson-Gower (commonly called Lady Florence Sutherland Leveson-Gower), and the heirs of her body aforesaid ; and in default of such issue, the other daughters of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs of the body and respective bodies of such daughters, severally and successively, one after another, as aforesaid, may in all things be held and deemed Viscounts Tarbat of Tarbat aforesaid, or in respect of any female taking under this grant, may in all things be held and deemed Viscountesses Tarbat of Tarbat aforesaid, and be treated and reputed as Viscounts and Viscountesses, respectively ; and that the said Viscounts Tarbat of Tarbat aforesaid, and every of them, suc-

cessively and respectively, may have, hold, and possess a seat, place, and voice in the Parliaments and Public Assemblies and Councils of us, our heirs and successors, within our United Kingdom of Great Britain and Ireland, amongst other Viscounts, as Viscounts of Parliament and Public Assemblies and Councils : And also that she, the said Anne Duchess of Sutherland, by the name of Viscountess Tarbat of Tarbat aforesaid ; and after her decease the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs-male of his body aforesaid ; and in default of such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs-male of his and their body and respective bodies, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs of his body aforesaid ; and in default of such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs of the body and respective bodies of such sons, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Florence Sutherland Leveson-Gower (commonly called Lady Florence Sutherland Leveson-Gower), and the heirs of her body aforesaid ; and in default of such issue, the other daughters of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs of the body and respective bodies of such daughters, severally and successively, one after another, as aforesaid, may enjoy and use, and every of them may enjoy and use, by the name of Viscount Tarbat of Tarbat aforesaid, or in respect of any female taking under this grant, may enjoy and use, by the name of Viscountess Tarbat of Tarbat aforesaid, all and singular the rights, privileges, pre-eminences, immunities, and advantages to the degree of a Viscount and Viscountess, respectively, in all things duly and of right belonging which other Viscounts and Viscountesses of this our United Kingdom of Great Britain and Ireland have heretofore honorably and quietly used and enjoyed, or as they do at present use and enjoy. AND MOREOVER, know ye that we, of our further especial grace, certain knowledge, and mere motion, have ordained, preferred, and created the said Anne Duchess of Sutherland to a more ample state, degree, dignity, and honor of COUNTESS OF CROMARTIE ; and her, the said Anne Duchess of Sutherland, Countess of Cromartie, do, by these presents, create, advance, and prefer, and we have appointed, given, and granted, and by these presents, for us, our heirs and successors, do appoint, give, and grant unto her, the said Anne Duchess of Sutherland, the name, state, degree, style, dignity, title, and honor of

Countess of Cromartie aforesaid ; and her, the said Anne Duchess of Sutherland, we do, by these presents, dignify, invest, and really ennoble with such name, state, degree, style, dignity, title, and honor of Countess of Cromartie : TO HAVE AND TO HOLD the said name, state, degree, style, dignity, title, and honor of Countess of Cromartie aforesaid unto her, the said Anne Duchess of Sutherland, for and during the term of her natural life ; and after the decease of the said Anne Duchess of Sutherland, to have and to hold the name, state, degree, style, dignity, title, and honor of Earl of Cromartie unto the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), the second surviving son of the said Anne Duchess of Sutherland, and the heirs-male of his body lawfully begotten and to be begotten ; and in default of such issue, to each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and to the heirs-male of the body and respective bodies of such sons, severally and successively, one after another, as they shall be according to seniority of age and priority of birth, the elder of such sons and the heirs-male of his body always to be preferred and take before the younger of such sons and the heirs-male of his and their respective body and bodies ; and in default of such issue, to have and to hold the said name, state, degree, style, dignity, title, and honor of Earl of Cromartie aforesaid, or in respect of any female taking under this grant, the said name, state, degree, style, dignity, title, and honor of Countess of Cromartie aforesaid, unto the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs of his body lawfully begotten and to be begotten ; and in default of such issue, to each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and to the heirs of the body and respective bodies of such sons, severally and successively, one after another, as they shall be according to seniority of age and priority of birth, the elder of such sons and the heirs of his body always to be preferred and take before the younger of such sons and the heirs of his and their respective body and bodies ; and in default of such issue to the said Florence Sutherland Leveson-Gower (commonly called Lady Florence Sutherland Leveson-Gower), and the heirs of her body lawfully begotten and to be begotten ; and in default of such issue, to each of the other daughters of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and to the heirs of the body and respective bodies of such daughters, severally and successively, one after another, as they shall be according to seniority of age and priority of birth, the elder of such daughters and the heirs of her body always to

be preferred and take before the younger of such daughters and the heirs of her and their respective body and bodies : Willing, and by these presents granting, for us, our heirs and successors, that the said Anne Duchess of Sutherland may bear and have the name, state, degree, style, dignity, title, and honor of Countess of Cromartie aforesaid, and that after her decease the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs-male of his body aforesaid ; and in default of such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs-male of his and their body and respective bodies, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs of his body aforesaid ; and in default of such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs of the body and respective bodies of such sons, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Florence Sutherland Leveson-Gower (commonly called Lady Florence Sutherland Leveson-Gower), and the heirs of her body aforesaid ; and in default of such issue, the other daughters of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs of the body and respective bodies of such daughters, severally and successively, one after another, as aforesaid, may bear and have the said name, state, degree, style, dignity, title, and honor of Earl of Cromartie aforesaid ; or in respect of any female taking under this grant, the said name, state, degree, style, dignity, title, and honor of Countess of Cromartie aforesaid ; and that they and every of them successively may be called and styled by the name of Earl of Cromartie, or in respect of any female taking under this grant, may be called and styled by the name of Countess of Cromartie : And that she, the said Anne Duchess of Sutherland, may in all things be held and deemed Countess of Cromartie aforesaid, and be treated and reputed as a Countess, and that after her decease the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs-male of his body aforesaid ; and in default of such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs-male of his and their body and bodies, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs of his body aforesaid ; and in default of

such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs of the body and respective bodies of such sons, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Florcuce Sutherland Levesou-Gower (commonly called Lady Floreuce Sutherland Levesou-Gower), and the heirs of her body aforesaid ; and in default of such issue, the other daughters of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs of the body and respective bodies of such daughters, severally and successively, one after another, as aforesaid, may in all things be held and deemed Earls of Cromartie aforesaid ; or in respect of any female taking under this grant, may in all things be held and deemed Countesses of Cromartie aforesaid, and be treated and reputed as Earls and Countesses, respectively ; and that the said Earls of Cromartie aforesaid, and every of them, successively and respectively, may have, hold, and possess a SEAT, PLACE, and VOICE in the Parliaments and Public Assemblies and Councils of us, our heirs and successors, within our United Kingdom of Great Britain and Ireland, amongst other Earls, as Earls of Parliament and Public Assemblies and Councils : And also that she, the said Anne Duchess of Sutherland, by the name of Countess of Cromartie aforesaid, and after her decease the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs-male of his body aforesaid ; and in default of such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs-male of his and their body and respective bodies, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs of his body aforesaid ; and in default of such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs of the body and respective bodies of such sons, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Florence Sutherland Leveson-Gower (commonly called Lady Florence Sutherland Leveson-Gower), and the heirs of her body aforesaid ; and in default of such issue, the other daughters of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs of the body and respective bodies of such daughters, severally and successively, one after another, as aforesaid, may enjoy and use, and every of them may enjoy and use, by the name of Earl of Cromartie aforesaid, or in respect of any female taking under this grant, may enjoy and use, by the

name of Countess of Cromartie aforesaid, all and singular the rights, privileges, pre-eminences, immunities, and advantages to the degree of an Earl or Countess, respectively, in all things duly and of right belongiug which other Earls and Countesses of this our United Kingdom of Great Britain and Ireland have heretofore honorably and quietly used and enjoyed, or as they do at present use and enjoy : AND we will, and by these presents, for us, our heirs and successors, do grant, direct, declare, and provide (anything herein to the contrary notwithstanding) that if the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), or any younger son to be hereafter born of the said Anne Duchess of Sutherland, or the heirs of the body of the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), or any such younger son, as aforesaid, or the said Floreuce Sutherland Leveson-Gower (commonly called Lady Florence Sutherland Leveson-Gower), or any daughter to be hereafter born of the said Anne Duchess of Sutherland, or the heirs of the body of the said Florence Sutherland Leveson-Gower (commonly called Lady Florence Sutherland Leveson-Gower), or any such daughter as aforesaid, shall succeed to the Earldom of Sutherland, and there shall, upon or at any time after the occurrence of that event, be any other younger son, or any other daughter of the said Anne Duchess of Sutherland, or any heir of the body of any such other son or daughter, then and in such case, and immediately thereupon, and so often as the same may happen, the succession to the titles, honors, and dignities hereby created, and all the rights and privileges hereby annexed thereto, shall devolve on the son or daughter of the said Anne Duchess of Sutherland, or the heirs of the body of such son or daughter who would be next entitled to succeed to the said titles, honors, and dignities, if the person or persons so succeeding to the said Earldom of Sutherland were dead without issue, and the said titles, honours, and dignities shall thenceforth devolve in like manner as if the person or persons so succeeding to the said Earldom of Sutherland had died without issue. LASTLY, We will, and by these presents, for us, our heirs and successors, do grant to the said Anne Duchess of Sutherland that these our Letters Patent, or the enrolment thereof, shall be sufficient and effectnal in the law for the dignifying, investing, and really ennobling her, the said Anne Duchess of Sutherland, with the several and respective names, titles, dignities, and honors of Baroness Macleod of Castle Leod, in our county of Cromartie, Baroness Castlehaven of Castlehaven, in our county of Cromartie, Viscountess Tarbat of Tarbat, in our county of Cromartie, and Countess of Cromartie ; and after her decease, for the dignifying, investing, and really ennobling the said Francis Sutherland Leveson-Gower (commonly called Lord Francis

Sutherland Leveson-Gower), and the heirs-male of his body aforesaid ; and in default of such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs-male of his and their body and respective bodies, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Francis Sutherland Leveson-Gower (commonly called Lord Francis Sutherland Leveson-Gower), and the heirs of his body aforesaid ; and in default of such issue, each of the other younger sons of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs of the body and respective bodies of such sons, severally and successively, one after another, as aforesaid ; and in default of such issue, the said Florence Sutherland Leveson-Gower (commonly called Lady Florence Sutherland Leveson-Gower), and the heirs of her body aforesaid ; and in default of such issue, the other daughters of the said Anne Duchess of Sutherland, by her present or any future husband hereafter to be begotten, and the heirs of the body and respective bodies of such daughters, severally and successively, one after another, as aforesaid, with the several and respective names, titles, dignities, and honors of Baron Macleod of Castle Leod, in our county of Cromartie, Baron Castlehaven of Castlehaven, in our county of Cromartie, Viscount Tarbat of Tarbat, in our county of Cromartie, and Earl of Cromartie ; or in respect of any female taking under this grant, with the several and respective names, titles, dignities, and honors of Baroness Macleod of Castle Leod, in our county of Cromartie, Baroness Castlehaven of Castlehaven, in our county of Cromartie, Viscountess Tarbat of Tarbat, in our county of Cromartie, and Countess of Cromartie, and this without any investiture, rites, ornaments, or ceremonies whatsoever on this behalf, due and accustomed, which, for some certain reasons best known to us, we could not in due manner do and perform any ordinance, use, custom, rite, ceremony, prescription or provision, due or used, or to be had, done, or performed in conferring honors of this kind, or any other matter or thing to the contrary thereof notwithstanding : We will also, and by these presents grant to the said Anne Duchess of Sutherland that she may and shall have these our Letters Patent duly made and sealed under our Great Seal of our United Kingdom of Great Britain and Ireland, without fine or fee, great or small, to be for the same, in any manner rendered, done, or paid to us in our Hanaper or elsewhere, to our use.—IN WITNESS WHEREOF, we have caused these our letters to be made Patent. WITNESS, ourself. At Westminster, the twenty-first day of October, in the twenty-fifth year of our reign.

BY WARRANT under the Queen's sign-manual.

C. ROMILLY.

555. WARRANT by QUEEN ANNE for an EXONERATION and INDEMNITY to
GEORGE FIRST EARL OF CROMARTIE, 13th May 1704.

ANNE, R.

OUR SOVERAIGN LADY ordains a letter of approbation and exoneration to be past and expedite under [her] Majesty's Great Seale of her Majesty's antient kingdom of Scotland, making mention that, forasmuch as her Majesty taking into her royal consideration that her Majesty's right trusty and right welbeloved cousin and counsellor, George Earle of Cromertie, has these several years bygon behaved himselfe with the greatest prudence, vigilancy, fidelity, zeal, and faithfulness in the several trusts and offices conferred upon him by her Majesty and her royal predecessors, and particularly as Sherife of the shyre of Cromertie, Justice of the Peace, Lord of the Regality of Tarbat, heritable Baly of the old Abbaey of Fern, or Baron of Ganie, Baron of Delnie, heritable Bayly of the toun and brugh of Taine, one of the Lords of the Privie Council, one of the Lords of Exchequer, as a Member of Parliament, or as Secretary of State, in exercising of all which trusts and offices under her Majesty and her royal predecessors the said George Earle of Cromertie did behave and discharge himselfe with great candor and integrity, with her Majesty's approbation and to her great satisfaction ; and her Majesty being abundantly perswaded and satisfied that the said George Earle of Cromerty had nothing so much before his eyes as the exact discharge of his offices and the strict observance of her Majesty's and her said royal predecessors' commands and instructions for promoveing their Majesties' right and interest in the said kingdom, in these haill, great, and high trusts, and all other capacities, both private and publick, at all times and all places, within or without the said kingdom ; and her Majesty highly esteeming the perpetual, singular, and exemplary loyalty of the said George Earle of Cromertie and his family, as also her Majesty being [very] desirous that he, his heirs, successors, and representatives, be by all means exoner'd, secur'd, and indemnified as to all actions, omissions and commissions, words and deeds, that any way can be laid to his charge in any of the saids or other trusts and offices, as also of all things acted, said, or done by the said George Earle of Cromertie in any private capacity, of whatsoever nature, quality, moment, or consequence they be, or with whatsoever circumstances or aggravations the said actions, omissions and commissions, words or deeds, either in publick or private capacities, be accompanied, and that whether the said actions, omissions, commissions, words or deeds, either in publick or private capacities, have been within the said kingdom of Scotland or outwith the same, at any time bygone preceeding

the date hereof : Therefore her Majesty, of her full, mature, and previous deliberation, and her certaine knowledge and proper motive, has not only ratified and approven the haill actions, administrations, conducts, and deeds of the said George Earle of Cromertie in discharging the forsaid trusts and offices of Sherife of the shire of Cromerty, Justice of the Peace, Lord of the Regality of Tarbat, heritable Bayly of the old Abbacy of Fern, and Baron of Gainie, Baron of Delnie, heritable Bayly of the toun and brugh of Tayn, one of the Lords of the Privie Council, one of the Lords of Exchequer, as a Member of Parliament, or as Secretary of State, and of all other places, offices, and trusts committed to him by her Majesty or her royal predecessors ; and further, her Majesty declares that she is abundantly and fully satisfied with the administration, carefulnes, zeal, fidelity, and loyalty of the said George Earle of Cromertie in all the forsaid offices ; and her Majesty does fully discharge him theranent, dispensing with the generality of these presents, and admitting and declaring this present approbation and exoneration to be as sufficient, as to all intents and purposes, as if whatsoever could be exprest were herein specially insert ; but also for the said George Earle of Cromertie his security, her Majesty, by virtue of her royal prerogative and privilege of her Crown, of her certain knowledge and proper motive, has remitted, pardoned, indemnified, and exonered the said George Earle of Cromertie, and his heirs, successors, executors, and representatives, of all crimes, transgressions, faults, failings, and errors in his actions, and of all omissions and commissions, sayings or speeches, and others whatsoever, done or acted by him, how far soever the same may be extended, or whatsoever the same may infer against him and his forsaid, their persons, lands, or possessions, and goods, moveable and immoveable, of whatsoever nature, extent, or quality the said crimes be, even altho' they extend, or may be extended, to the crimes of perduellion or treason ; as also of all other crimes, transgressions, or faults, [and] that he has harboured, assisted, and conversed with rebels or fugitives, or that they were resett in his lands and estate and of his knowledge, concealing and not revealing of treason, and of all other crimes whatsoever which can any ways be imputed to him, or may hereafter be imputed, against the laws, statutes, custom, or constitution of the said kingdom, whether the said crimes or transgressions, of whatsoever nature or quality, have been acted, said, or done, either in publick or private capacities, within or without her Majesty's said antient kingdom of Scotland, and of all action or prosecution, civil or criminal, which can be theranent moved, intended, or prosecuted against the said George Earle of Cromertie *vel ad vindictam publicam aut privatam*, or as to damage or prejudice : Inhibiting hereby all her Majestie's judicatures, and all her officers, that they presume not to molest, trouble, or prosecute the said George

Earle of Cromertie and his forsaid in their persons, estates, or goods, for whatsoever crimes, faults, or transgressions, failings, errors, speeches, or others whatsoever spoken, acted, done, or performed by the said George Earle of Cromertie, or advised and undertaken or omitted in the exercise and prosecution of the offices, trusts, and stations whatsoever entrusted to him by her Majesty or her royal predecessors at any time preceeding the date of these presents, or for whatsoever other crimes, faults, or transgressions that can be imputed to him as contraveening the laws, constitutions, and customs of the said kingdom, of whatsoever extent or quality the same be, even altho' they may be extended to the crimes of perduellion and treason ; and this her Majesty commands under the highest pains : And, moreover, her Majesty, of her certain knowledge, wills and declares this present approbation and commendation of the administrations of the actions, cariage, and decds of the said George Earle of Cromertie, in exercising the forsaid trusts and offices, to be noways prejudicial or derogatory to her Majestic's letters of remission and indemnity in favors of the said Earle and his forsaid, but the same to stand good and to be as effectual to the said Earle and his forsaid as if the crimes, trespasses, and transgressions which may arise by vertue of the premisses, with the haill circumstances and aggravations, were herein particularly inserted : All which her Majesty, by these presents, simply and absolutely, as to all effects, civil and criminal, altho' the same did extend to the high and greatest crimes of treason, remits, forgives, exouers, and perpetually indemnifies and frees him thereanent, and ordains and declares these present letters of remission and indemnity to be as valide and effectual, and to have the same strength and effect as if all the crimes wherof he can be accused were herin particularly exprest and sett down : And, lastly, her Majesty wills and ordains that this exoneration, remission, grant, and indemnity, and haill words therof, be as favorably, fully, and largely extended, understood, and explain'd in favors of the said George Earle of Cromertie and his forsaid, in so far as can be thought and devised for the end and intention forsaid, and to be so interpreted by all judges and ministers of the law : And her Majesty ordains these presents to be extended in most ample form, and to pass the Great Seal *per saltum*, without passing any other seal or register. Given at her Majestic's Court at Kensington the 13th day of May 1704, and of her Majestic's reign the 3d year.

MAY IT PLEASE YOUR MAJESTY,—

These contain your Majestic's warrant upon the considerations above mentioned, for a letter to be made and past *per saltum*, under your Majesty's Great Seale of Scotland, in

favour of George Earle of Cromertie, not only ratifying and approving the said Earle his hail actions, administrations, conduct, and deeds in the discharge of the severall trusts and offices above mentioned, wherein he has been employed by your Majesty or your royall predecessors, but also for his further security, your Majesty has remitted, pardon'd, and indemnified him and his heirs and successors of all crimes, transgressions, faults, failings, and errors in his actions, and of all omissions and commissions, sayings, speeches, or others whatsoever done or acted by him, whatever the same may infer against him or his foresaids, their persons or estates, and of whatsoever nature or quality these crimes be, even altho' they may be extended to the crimes of perduellion or treason, and of all other crimes whatsoever which can any way be imputed to him, whither the saids crimes have been acted in publick or privat capacities, and within or without the said kingdom of Scotland : And your Majesty ordains this present exoueration and iudemnity to be as effectuell as if the crimes whereof the said Earle could be accused were herein insert ; and that these presents be interpreted in the most favourable sens for his full exoueration in all time comiug.

QUEENSBERRY.

556. NARRATIVE by JOHN LORD MACLEOD, afterwards COUNT CROMARTIE in Sweden, of the Insurrection in Scotland in the year 1745-6, from its commencement till the operations by his Lordship in Sutherland and Caithness.

THE Court of Great Britain having sent a body of national troops, in the year 1742, into the Austrian Netherlands, to support the Queen of Hungary, who, on the death of her father, the Emperor Charles the 6, had been attack'd by several of the most considerable Princes of Germany, who, supported by France, pretended to a part, or to the whole, of the Austrian succession, had caus'd the said troops, together with a considerable body of German auxiliaries in the pay of Great Britain, to march into the empire the year following, to succour that Queen. This auxiliary army, commanded by the King of Great Britain in person, gain'd the battle of Dedtingen over the French army that was sent to oppose them. The Court of France, which saw very well that a war with Great Britain was unavoidable, prevail'd on the Prince Charles Edward Stuart to come to Paris, having given that Prince the strongest assurances of effectual succours to enable him to make good his family's pretensions to the British Crowns, and in case of the worst they promis'd the Prince a safe and honorable azile in France. In the begining of the year 1744 the Court of Versailles order'd a large body of troops

to be embark'd at Dunkerk, with which they threatned to make a descent in England, but efter these troops had continu'd for some time on board the transport ships they were relanded. The French Court atributed this miscarriage to contrary winds, which first hinder'd their troops from puting to sea at the proper time, and afterwards drove their ships foul of each other ; but some people are of oppinion that the Court of France never intended an invasion in favour of the Stuart family, but that their only design, with all the noise they then made, was to alarm the Court of London, so as to make them withdraw the British troops from the Austrian Netherlands, by which means they hop'd to meet with less opposition in the measures they were then pursueing on the Continent for humbling the House of Austria. The year following the French Court prevail'd on the Prince Charles Edward to pass over to Scotland with only a few attendants, having promis'd him that he shou'd be soon follow'd by a considerable body of troops. The Prince, who trusted to these promises, and relied likewise much on the assistance of his friends in the country, resolv'd to try his fortune. He accordingly embark'd on board a small fregate at St. Malo, which landed him, attended only by 6 persons, at Moidart, in the West Highlands of Scotland, about the last of July. He immediately wrote letters to such of the Highland chieftans and other principal gentlemen of the country as he thought were his friends, to acquaint them of his arrival and to demand their assistance. At the same time he publish'd his father's Manifesto, his own Declaration, and a Commission from his father to himself, appointing him Regent of the three kingdoms during his absence. On the 30th of August he set up his Standard, and having been join'd by Mr. Cameron of Lochiel, with his men, and by the Macdonalds of Glengary, of Clanronnald, of Keppoch, and of Glenco, he march'd to the hill of Corry-yarrick, which lies above Fort-Augustus, where he was resolv'd to wait for the King's troops, which were then advancing against him. So soon as the Prince's landing in Scotland was known at London, the Lords of the Regency, who, during the King's absence in Hanover, had the management of the public affairs, sent orders to Sir John Cope, at that time Commander-in-cheif in Scotland, to march, without loss of time, with the troops he then had into the Highlands, to crush this insurrection before it cou'd gather to a head. In pursuance of these orders, General Cope march'd to the north, but when he came within ten or twelve miles of the hill of Corry-yarrick, where the Highlanders were waiting to receive him, he chang'd his rout and march'd to Inverness. Prince Charles, instead of pursueing his enemies to the north, resolv'd to take advantage of their sudden retreat. He march'd immediately towards the south, and having halted some days at Perth, he cross'd the river of Forth, and on the twenty-

eight day of September he took possession of the city of Edinburgh. It is thought that the Prince was favour'd on this occasion by Mr. Archibald Stuart, who was at that time Lord Provost and Member of Parliament for the city. That gentleman was afterwards committed prisoner to the Tower of London on that account, where he continued for some months, and was afterwards try'd for it, but he was acquitted. Sir John Cope having halted a few days at Inverness, march'd to Aberdeen, where he embark'd his troops on board the transport ships that were provided for them. He landed with them at Dunbar about the same time that the Highlanders took possession of Edinburgh, General Cope having been join'd, on his arrival at Dunbar, by some detachments of infantry from Berwick-upon-Tweed, and by two regiments of dragoons, who had retir'd from Edinburgh upon the approach of the Highlanders, advanc'd towards Edinburgh to dislodge the Highlanders. The Prince Charles having had intelligence of this, resolv'd to meet his enemies half-way. For this purpose he march'd from Edinburgh with his army the first of October, and the same evening the two armies came in sight of each other near Preston-Pans. By break of day next morning the Highlanders attack'd their enemies, and in less than half an hour gain'd a compleat victory. General Cope retir'd with the dragoons, whose loss was very inconsiderable, as the Highland army had no cavalry to pursue them, but the infantry was quite ruin'd, having been all kill'd, taken, or dispers'd; on this occasion General Cope lost likewise his camp, baggage, and artillery. After the battle was over, the Prince took up his quarters at Pinkey House, which belongs to the Marquis of Tweeddale, and next day he return'd with his army to Edinburgh. Many people thought then, and are still of the same opinion, that if the Highland army had march'd directly from the field of battle at Preston-Pans into England, that they wou'd have been join'd by vast numbers of the Jacobites in that kingdom, and that they wou'd have got to London without opposition. Those who are of this sentiment found their opinion on this, that the defeat at Preston-Pans threw the Court of London into great consternation, and that there was not at that time a sufficient number of troops in England to oppose a victorious army conducted by a young Prince who had many friends in every town and every province of the kingdom. Whatever may be in this, it seems that Prince Charles and his Council were not at that time of this mind, for the Prince remain'd at Edinburgh about six weeks after the battle, as well to be join'd by those who had already declar'd for him as in hopes that his victory wou'd engage many others to follow the same example. During that time the British forces were brought over from the Low Countries to England, and many noblemen set up regiments for the service of the

Government. The Dutch likewise sent over the six thousand men with which they are oblig'd by treaty to assist the King of Great Britain when attack'd in his British dominions, but their High Mightynesses were afterwards oblig'd to recall their troops for the reasons I shall afterwards give. The Highland army march'd at last from Edenborough, about the 12 of November ; they were a little above 5000 men strong. In a few days they enter'd England, and laid siege to Carlisle, which they took in a short time. The Governour demanded at first to retire with the garrison into the castle, on which condition he offer'd to deliver up the town ; but the Prince caus'd it to be declar'd to him that he wou'd not accept of the town unless the castle was deliver'd up at the same time, with which the Governour was at last oblig'd to comply. So soon as Felt-Marechal Wade, who was with his army at Newcastle-upon-Tine, hear'd that Carlisle was attackt, he march'd to raise the siege, but having hear'd on his march that the place was taken, he return'd with his army to Newcastle, which place, it is said, he had orders at all events to take care of, upon account of its great importance to London and to the whole kingdom, by reason of the coal trade. From Carlisle Prince Charles continu'd his march by the way of Lancaster, Preston, etc., to Manchester, where he was join'd by some gentlemen, who rais'd a regiment of foot for his service ; from Manchester he continu'd his rout to Derby. The Prince had then penetrated into the heart of England ; but finding that there was no rising in that kingdom in his favour, he resolv'd to return to Scotland, where he knew that a considerable body of Highlanders and other troops of that nation were assembled at Perth and in Aberdeenshire ready to join him. He likewise receiv'd intelligence about the same time that a body of French troops, with a great train of artillery, were landed in Scotland for his service, and these troops were represented to him to be much more numerous than they really were. These considerations determin'd the Prince and his Council for a retreat, as they thought that the number of troops that they then had with them was too inconsiderable to attempt marching to London ; but that after having join'd the army that was in Scotland, they wou'd be able to prosecute the war with more vigour than ever. The retreat was conducted with very good order and with little loss. The Duke of Cumberland having attack'd the rear-guard, commanded by Lord George Murray, with a large body of dragoons, on Clifton Muir, near Penrith, was repuls'd with loss ; and this was the only attack that was made on the Highland army during the whole retreat. Soon after this the army arriv'd at Carlisle, where they remain'd but one night ; the Prince left a garrison here, and then, continueing his march, he cross'd the river of Esk with his army, and re-enter'd Scotland the last day of December, which was his birth-day.

In a few days the Prince arriv'd at Glasgow, where he resolv'd to continue for some days to give his army time to rest after the great fatigues which they had suffer'd in their expedition to England in so bad a season of the year. Immediately after the Highland army was march'd from Carlisle, the Duke of Cumberland besieg'd that place, which he took in a few days, having oblig'd the garrison to surrender prisoners at discretion. His R. H. then return'd to London. Having given some account of the Prince's expedition to England, I shall now return to our affairs in Scotland. A few days before my arrival at Perth, a body of the Mackintoshes and Farquersons came to that place to join the Prince. Their arrival gave great pleasure to Lord Strathallan, who stood very much in need of their assistance, for the night before they came some of the people of the town had endeavour'd to force the town-house, in which the arms and ammunition were kept, and for the defence of which Lord Strathallan had only a few officers, with their servants. The mob was repuls'd in that attempt, and the arrival of the troops disconcerted any design they might have had of renewing the attack. I had not been many days at Perth before we had a hot alarm. Immediately after the Prince Charles was march'd with his army from Edenborough two regiments of dragoons and two regiments of foot march'd from Berwick to that city and from that to Sterling. Lord Strathallan receiv'd advice that these troops were to attack us at Perth at the same time that they design'd to send a detachment to rescue the soldiers of the King's army who had been taken prisoners at the battle of Prestonpans, and who were confin'd some where in the country of Atholl. The very evening, or the evening after, we receiv'd this intelligence, a great noise was hear'd in the country about with blowing of horns and the like. This we took to be the enemy, and that they were endeavouring to raise the country people against us, which we thought was the more probable, as most of the people in that neighbourhood wou'd have willingly contributed all in their power to our destruction, on which the troops were immediately assembled, strong guards were plac'd at all the gates, and the rest of the troops had their posts assign'd them in the different streets, to be ready to act where occasion might require. Patrulls were then sent out to discover what cou'd be the cause of the noise. It was found to be made by a number of boors, who, returning from their work, blew their horns either to gather together their cattle in the woods, or perhaps to divert themselves. General Blakney, who commanded the King's troops at Sterlin, did not attempt to disturb us ; and if he had, he probably wou'd have been beat, for we were at least so strong as he was ; for besides the Mackintoshes, Farquersons, and my father's regiment, a large body of the Macdonalds of Glengary, of Claunnald, and of Glenco,

together with a battalion of the Camerons, and likewise Barisdale's regiment, were arriv'd by this time at Perth. The Frasers begane, too, to come up about that time, tho' not in a body, but by companies. Mr. Simon Fraser, Lord Lovat's son, did not come up to Perth till some weeks latter, and after I was gone from thence. Soon after this we receiv'd a piece of news which gave us all the greatest joy, as we look'd then on our affairs to be in the most flourishing condition in the world. This news was, that Lord Drummond was landed at Montrose with a large body of French troops, which we were at first told amounted to some thousands of men. The truth of the matter is, that Lord Drummond was sent from France with his own regiment, and with a piquet of 50 men from each of the six Irish foot regiments in that service ; and as part of these troops were taken in their passage by the British cruisers, the whole of this formidable army amounted to about seven or eight hundred men. It is true they had a good number of battering cannon with them, but in the hurry of their embarkation they forgote to bring over any mortars, bombs, or engeneers along with them. There was indeed two officers who came over with the troops who pass'd for engeneers, but the one of them was always drunk, and the other was a boy just come from the college ; and this last circumstance appear'd even then very singular to many people, as it is very well known to all the world that there is no nation on earth so well provided with able engeneers as the French nation is. But perhaps too rapid success to the Prince Charles's arms wou'd have been so disagreeable to the Court of France as to the Court of London, perhaps more disagreeable to them than a defeat of their army in the Low Countries, for the politicks of the Court of France may make it advantagious for them at all times to have a pretender to the Crown of Great Britain ; and they might perhaps think that if the Stuart family shou'd be restor'd to the throne of Great Britain, that that family wou'd not fail to enter into the views of the nation ever gealous of France, whose ambitious views they wou'd then be more able to oppose when dissengag'd from any connections on the Continent, which they never can be so long as the Princes of the Hanoverian family swey the British scepter, because the march of a French army into Westphalia cannot fail in that case, having always a great influence on the Councils of the Court of London. About the same time that the French troops landed at Montrose, I had a very singular visit at Perth, and which very much surpris'd me. This visit was from the Lady Stonebyres, my grand-aunt on the mother's side. This lady, who was a zealous Whig, was very sorry to hear that I was engag'd in the Prince Charles's service, and as she knew that I had formerly been of a different way of thinking, she probably thought that I had follow'd my father more from a principle of

filial duty than from any other consideration. This consideration engag'd her to come to Perth, perhaps likewise at the desire of my other friends at Edinbrough, to endeavour to perswade me to leave that place and to retire to Edinbrough. She told me that my being engag'd in the rebellion gave all my friends the greatest uneasiness; but that if I wou'd come to them, that they wou'd obtain me my own conditions from the Government. My grand-aunt promis'd me, I beleive, more than she had authority for, or than she was in a condition to perform. I am, however, very much oblig'd to her intentions, which she certainly meant for my best, tho' I did not think proper at that time to follow her advice. I complain'd bitterly to her of the bad usage I had receiv'd from the Government, which had in a manner forc'd me into the Rebellion; but I told her at the same time, that as I was now engag'd in a different interest, that no consideration in the world cou'd ever engage me to abandon the same, nor to take any step that cou'd bring the least stain upon my honour. As my grand-aunt found that she cou'd not prevail on me to follow her advice, she set out early next morning for Edinbrough, very much cast down for the bad success of her journey. Much about the same time that the French troops landed in Scotland, Collonel Macklachlan arriv'd at Perth from Carlisle, having been sent by the Prince, immediately after the reduction of that place, with orders to all the Commanders of the Highlanders at Perth to march, without loss of time, with their men into England to join the Prince's army. As the Prince did not know that my father was to come up himself with his men, the orders for the march of his regiment were address'd to me. Most of the Commanders were very keen for obeying these orders, and for marching directly; but Lord John Drummond oppos'd this vigourously. In a council of war, which was held on that occasion, and in which I assisted, Lord John Drummond allow'd that in general obedience to orders was absolutely necessary in war, for those that were for a march insisted much on this; but he maintain'd at the same time that the arrival of the French troops in Scotland greatly alter'd the situation of affairs, and that if this circumstance had been known to the Prince, he wou'd not have order'd our march, because it was now contrary to the good of his service. He told us further that the King his master's orders to him were to reduce the forts in Scotland before he undertook any other expedition, and that for this purpose he had brought over a train of battering artillery with him. He said that if we shou'd, notwithstanding all this, march to England, that it was not in his power to march along with us, and that so soon we were gone the French troops wou'd be overpower'd and cut to pieces, and that their artillery wou'd fall into the enemy's hands. He concluded with saying that he was convinc'd that if this shou'd happen, his most Christian Majesty

wou'd be so provok'd at our haveing abandon'd his troops, and at the disgrace brought by that means on his arms, that he wou'd give us no further assistance either in men or money. Lord Drummond's arguments having prevail'd on Lord Strathallan and on some others, all further thoughts of marching into England were laid entirely aside. It was then propos'd that Lord John Drummond shou'd lay siege to the Castle of Sterlin, and that my father shou'd, at the same time, march to the north with a considerable body of the Highland clans, to dissipate the forces that were assembled at Inverness, under the Earl of Loudoun's command, and to make himself master of that place ; and this project was agreed to, tho' it was not put in execution : and in effect I believe that we were not strong enough to undertake two expeditions of that sort at the same time. While we were deliberating at Perth to attack the Earl of Loudoun, that Lord was forming a design to attack Lord Luis Gordon, who was rising forces for the Prince's service in Aberdeenshire, and to drive him out of that country. In the month of December Mr. Macleod march'd from Inverness with a considerable body of his own clan, and with other troops, to put this project in execution. In the mean time Lord Luis Gordon, having been join'd by a detachment of the French troops, resolv'd to attack the enemy. He met them at Inverury, about ten miles from Aberdeen, and gain'd an easy victory. In a few minutes Mr. Macleod and his troops were put to the rout ; they fled with great precipitation, nor did they think themselves safe till they had recross'd the river of Spey. Towards the end of the month of December I was sent to Dumblain with the regiment, together with the Camerons and some other troops. The reason of our having been sent there is as follows :—Some time before the Prince march'd into England he appointed Mr. Macgregor of Glengyle to be Governor of Donn Castle, a house belonging to the Earl of Murray, and which was at that time a place of consequence, as it cover'd a bridge over a rivulet which secur'd our communication with the ford of the Frews on the river of Forth. Mr. Macgregor had his own clan for a garrison, but when the Highland army was march'd into England, and the King's troops were arriv'd at Sterlin from Berwick, Mr. Macgregor, thinking himself too weak to stand an attack, aply'd to Lord Strathallan for succours, on which Mr. Macdonald of Glenco, with his men and a body of the Stuarts of Appin, were sent to reinforce Donn Castle ; but these gentlemen, thinking themselves still unable to sustain an attack from the troops at Sterlin, shou'd General Blackney think proper to disturb them, apply'd for a further re-inforcement, for which Glenco and the Commander of the Stuarts came themselves to Perth to sollicite. It was then resolv'd to send the detachment I have mentioned above to Dumblain, which was sufficient to secure Donn Castle from

any attacks that cou'd be made against it from the enemy at that time, as we were within two miles of that place and within sight of Sterlin. We march'd from Perth the twenty-eight of December, and halted that night at Crief; next day we march'd to Dumblain. I immediately took possession of the Bridge of Alland, which is, so far as I remember, half way between Dumblain and Sterlin, and next day I visited the country about, and plac'd guards where I thought it wou'd be necessary, and that in such a manner that it was not possible for a single person to come out of Sterlin on our side the river of Forth without being immediately seen by our centinels. When we march'd from Perth the command-in-chief of our detachment was given conjointly to Mr. Cameron of Lochell, the elder, and to me; but Lord John Drummond, who, since his arrival in Scotland, had taken the command-in-chief of the whole army upon himself, told me that he depended most on me for what was to be done, as Lochell only had the name of command—his great age dispensing him from the fatigue. This made me exert myself to the outmost of my power to have everything done as it ought to be. A few days after we had been at Dumblain, Lord John Drummond came there; and having visited all the posts, he express'd great satisfaction with the dispositions I had made. I do not pretend to take any honour to myself from this as if it had been my own doings; I shall ingeniously own that I was assisted in all this by some French officers whom I had prevail'd on to go along with me from Perth to Dumblain. After having been some days at Dumblain I took a tour to Perth, so well to see what was doing there as to receive the pay for the regiment. I found that my father was gone with some troops into Fife shire, to raise the public revenues of that country. I stay'd but one day at Perth, and was greatly surpris'd to learn, on my return to Dumblain, that our men, imagining that I was not to return to them, had resolv'd to go home, and had actually march'd out of the town for that purpose; their officers had gone after them, and prevail'd on them, with great difficulty, to return to their duty. And here I cannot avoid making a reflexion, which is, that as a party which is in arms against an establish'd Government lies under many and great dissadvantages, this is none of the least of them, that their troops cannot be subjected to military discipline nor to martial law, and that the only way that one has to keep them from abandoning their colours is by flattery and good words, and even by winking at many disorders which can never be allow'd of in a regular army. This I reflected on at that time, and therefore resolv'd to pretend total ignorance of what had pass'd during my absense; nor had I reason to repent this conduct, for the men made no other attempt of that sort again so long as the war continu'd. In the begining of January, Doctor Cameron, who was one of the Prince's aid-de-camps,

and is the same gentleman who was executed some years afterwards at London, came from Glasgow to Dumblain, to see his father and his lady, who was likewise then there. This gentleman was the first who gave us certain accounts of the Prince's being arriv'd with his army at Glasgow. As Mr. Cameron was to return there in a day or two, I resolv'd to go along with him. The motive which induc'd me to undertake this journey was the great desire I had of seeing the Prince, for whom I had conceiv'd the highest veneration, and I thought that I cou'd with all safety leave my post, as we had nothing then to fear from Sterlin, the greatest part of the King's troops having march'd from that place to Edenborough on the first accounts they had of the return of the Highland army to Scotland. We set out from Dumblain the twelfth of January, and arriv'd the same evening at Glasgow. I immediately went to pay my respects to the Prince, and found that he was already set down to supper. Doctor Cameron told Lord George Murray, who sat by the Prince, who I was, on which that Lord introduc'd me to the Prince, whose hand I had the honour to kiss, after which the Prince order'd me to take my place at table. After supper I follow'd the Prince to his apartment, to give him an account of the situation of his affairs in the north, and of what had pass'd in these parts during the time of his expedition to England. I found that nothing surpris'd the Prince so much as to hear that the Earl of Seaforth had declar'd against him, for he hear'd without emotion the names of the other people who had join'd the Earl of Loudoun at Inverness ; but when I told him that Seaforth had likewise sent two hundred men to Inverness for the service of the Government, and that he had likewise hinder'd many gentlemen of his clan from joining my father for the service of the Stuart family, he tourn'd to the French minister, and said to him, with some warmth, *Hé, mon Dieu, et Seaforth est aussi contre moi !* The Prince, having resolv'd to lay siege to Sterlin, sent orders to the troops at Perth, and to Lord Luis Gordon, to join him at that place without loss of time. On the forteenth of January 1746, the Highland army march'd from Glasgow in two collumns ; the one, commanded by Lord George Murray, march'd to Falkirk, where they were to remain to cover the siege, and the other, led by the Prince himself, and which was to carry on the siege under the Duke of Perth's command, march'd that day to Kilsyth, and next day to the neighbourhood of Sterlin. The Prince fix'd his headquarters at Bannockburn-House, which belongs to Sir Hugh Peterson, and the army was canton'd in the neighbouring villages. The Prince march'd on foot at the head of the troops from Glasgow to Bannockburn-House in very deep roads, and I march'd along with him. He had march'd in the same way in his expedition to England, probably to encourage his army, and to animate them to follow him with

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more chearfulness. The town of Sterlin surrender'd to us in a day or two, being a place of no defence, but General Blackney retir'd with the garrison into the castle, which he was resolv'd to defend to the last extremity. As the Duke of Perth was to go to Perth the day after the army arriv'd at Bannockburn, and was to have an escort, I resolv'd to take that opportunity of returning to my post. We arriv'd late at night at Dumblain, and I found that the regiment had been sent the day before to Aloa to cover the French artillery and amunition, which was to be transported from that place to Sterlin. Next day I join'd the regiment. While we were taking the measures that were thought to be the most proper for making ourselves masters of the Castle of Sterlin, the Court of London neglected nothing that they thought cou'd disconcert our designs. Immediately after the reduction of Carlisle, several regiments, so well from the Duke of Cumberland's army as from that commanded by Felt Marechal Wade, march'd to Edenbourgh. These regiments, joined to the troops that were before in Scotland, formed a very considerable army, the command of which was given to the General Halley. That General thought that the most effectual way to prevent our undertaking the siege of Sterlin Castle wou'd be to take or destroy the battering artillery, and this he resolv'd to attempt, which made my post at Aloa very difficult. A day or two after I arriv'd at that place, I got a ship sent me for the transporting of the artillery, which was seiz'd for that purpose some miles further down the river by a detachment of the Duke of Perth's regiment, who brought it to Aloa. Some of the King's sloops, which lay not far from the place from which this ship was taken, endeavour'd to retake her, for which purpose they sent their long boats in pursuit of her ; but as I march'd down to the river side with the regiment upon the first allarms being given, the enemy retir'd. But that it might appear that they did something, they set fire to one or two other ships which lay at the same place from which we had taken the one ; but this did not affect us, as one ship was all that we had occasion for. In the meantime I took all the precautions possible for defending myself in case I shou'd be attack'd. I caus'd erect some of the cannon in battery on the shore, and I plac'd strong guards where they were necessary. I order'd the rest of the troops to be lodg'd in two or three barns, so that there might be large bodys of them together. I order'd them likewise to ly with their cloaths on, and with their arms by them, so that they cou'd be ready to march the moment that the signal was given. By the time that the ship was almost loaded, I receiv'd advice that a large body of the enemy was come up the river in transport ships, and that they were lying at Kinkardin, which is but three or four miles from Aloa. I immediately sent spies to Kinkardin to bring me accounts if the enemy were

lauding, and-to endeavour to discover what their designs might be. I likewise sent out patrulls, with orders to approach so near as they safely cou'd to Kinkardin for the same purpose. I then sent an express to Dumblain with a letter address'd to the Duke of Perth, or in his absense to Lord John Drummond, acquainting him of the enemy's being come to Kinkardin, and of the apreensions I had of being attack'd, for which reason I requir'd speedy succours. It was about midnight when all this pass'd, and the enemy attempted nothing that night, which was certainly very luckily for me; but they probably did not imagine me to be so weak as I realy was. Next morning my father and Lord John Drummond came to Aloa. That night the enemy attempted to set fire to our ship, for which purpose they sent up a long boat full of men, but being discover'd in time, they were repuls'd with loss. Finding that this design miscarried, they seem'd then resolv'd to attack us on the land side. Next day they debark'd their troops at Kinkardin, but, on the first appearance of their design, Lochell cross'd the river with the Camerons to join us. While he and I were marching out with our men to occupy the post where we design'd to receive the enemy, Lord John Drummond and my father, follow'd by some officers, rode forward to observe their motions, and found that they were returning with some hurry on board their ships. It seems they had seen the Camerons crossing the river above, and judging from this circumstance that they wou'd be met by a body of troops equal in number to themselves, they did not think proper to hasard the event of a combat. The same evening the ship sail'd up the river with so much of the artillery and ammunition as she cou'd couveniently carry, and having landed them at Polmese, on the opposite side, she return'd next day to Aloa to take on board the remainder. Lord John Drummond and my father had by this time left me, having gone over to Bannockburn, but Lochell remained at Aloa with the Camerons. The rest of the artillery being soon embark'd, the ship sail'd up the river with it; but the tide failing soon, she was oblig'd to cast anchor two miles above Aloa, on which I march'd up along the river side with the regiment to cover her from any attack which might be made by the enemy. Next day Lord John Drummond came to me, and, after he had given some orders relating to the artillery, we went together to a gentleman's house in that neighbourhood, where we propos'd passing that night. I had not been above an hour or two in bed, where I hop'd to get some rest after the great fatigue and watching which I had undergone for several nights before, when I was awak'd by Mr. Alexander Macleod, one of the Prince's aid-du-camps, who deliver'd me a letter from Secretary Murray, acquainting me that the enemy were advancing to give us battle, and that it was the Prince's commands that I shou'd cross the Forth

without loss of time and join the army. I immediately got up and assembl'd the regiment. As a like order was sent to Lochell, he arriv'd with the Camerons by break of day at the place where I was, which was the properest for crossing at, as the river was narrowest there. The Camerons cross'd first, and as we had but one boat, the day was pretty far advanc'd before I got over. The first order which Lord John Drummond gave me was to leave only a part of the regiment to guard the artillery, and to join the army with the rest ; but by the time I got over the river, I receiv'd orders to leave the whole regiment, and this I did ; but as I thought there might be a battle that day, which I wou'd be very sory not to be at, I resolv'd, for my own part, to join the army. Mr. Murray of Polnese lent me a horse, my own horses not being yet come over. I found the Prince advancing at the head of the army towards Falkirk ; but as Geueal Halley halted that day at Falkirk, wherc he encamp'd, we return'd soon after to Bannockburn. In the evening my father and I went to Polnese, where we had our quarters assign'd us ; the regiment was likewise quarter'd in the farm-houses about. Next day the army was assembl'd at Bannockburn, where we were form'd in order of battle, and remain'd several hours waiting for the enemy ; but as they remain'd quiet in their camp, we return'd at last to our respective quarters, having receiv'd orders to be on the same ground again next morning by break of day. The Highlanders, who are very much adicted to superstition, were very desirous that the battle might be fought at Banuockburn, as they thought that they wou'd then certaiuly win it because their ancestors had wone a great victory over the English at the same place some ages before. Next morning, which was the twenty-eight of January, we were again form'd on the same grouud. I was sent with my father's regiment to the head of the Torwood, where, together with some other regiments, we were to oppose the enemy shou'd they attempt to advance to us that way ; but as they still continu'd quiet in their camp, we receiv'd orders to rejoin the army. It was then resolv'd, in a council of war held on the field, to march aud attack the enemy in their camp. The Duke of Perth was left at Sterlin to guard the tranches. The army march'd in order of battle in two lines by the right flank ; and leaving the Torwood on our left, we cross'd the river of Carron at Donipace. As we were mouuting the hill on the opposite side, we saw the enemy marching from their camp. The two armies march'd parralel to each other for some time, eudeavouring to gain the advantage of the ground. About half-an-hour after three of the clock iu the afternoon, the battle began on our right wing, commanded by Lord George Murray, which General Halley caus'd to be attack'd by his dragoons ; but we having receiv'd them with a brisk fire, oblig'd them to reel off, and their own

infantry being form'd behind them, they were forc'd to ride of between the two armies, by which means they receiv'd the fire of the greatest part of our first line, from which they suffer'd very much. We then attack'd the enemy's infantry, sword in hand, and soon put them to flight. Two regiments on their right made some stand, but not being supported, they were soon forc'd to follow the example of the rest of their army. Our left wing, commanded by Lord Johu Drummoud, had the same success as our right, so that the euemy was beat on all sides. Had our army been disciplin'd, or had we been command'd by experienc'd generals, I am fully convinc'd that we wou'd have cut the King's army to pieces ; for after they were drove from the field, they certainly were in the greatest consternation. But the Highlanders pursu'd at first in the greatest confusion, every man runing after the enemy, and without any regard to their rauks, which were soon broke ; and when they were come to the brow of the hill, they then stop'd their pursuit, and walk'd about, talking with each other and telling what merveils they had perform'd, with the same unconcern as if no enemy had been uear. I run after the enemy like everybody else ; but meeting soon after with an officer of the King's army, who some Highlanders were threatening to kill after he had been taken prisoner, I took him from them and carry'd him to Lord George Murray, who was hard by, and his Lordship caus'd him to be conducted to the rear-guard. We then observ'd a great body of men on a rising ground to our right, which we took to be a detachment of the euemy ; and as their army was still in sight, Lord George Murray said that if they return'd to the charge, he was affraid that they wou'd still take the victory out of our hands, considering the great confusion we were then in. I told his Lordship that, in my oppinion, the best thing he cou'd do wou'd be to order the Highlanders to form a line directly without regard to what clans or regiments they belonged to, as it wou'd take too long time to seperate them from each other. Lord George approv'd of my advice, and order'd it to be put in execution. In the meantime such regiments of the second line as had not gone into the general confusion, together with the piquets of the Irish brigade, were brought up to the brow of the hill, where a line was soon form'd. As I did not know where my father was with his regiment, I join'd myself to the Irish piquets, resolv'd to fight with them should the enemy return to the charge ; but they, far from having any such design, were retiring with precipitation, overjoy'd to find themselves not pursu'd. The men whom we had seen on the rising ground to our right were a number of country people whom curiosity to see the battle, and perhaps a design of striping the dead, had drawn together. I remain'd with the Irish piquets till it was

dark, but finding then that the enemy was gone and that there wou'd be no more action, I mounted my horse, which I luckily got not far from that, and went to look for the Prince. I found him in a little hut on the top of the hill, where he was sitting by the fireside, having Sir Thomas Sheridan, the adjutant General Sullivan, and some others about him. I had not been long here before word was brought that our army had taken possession of the town of Falkirk, and likewise of the enemy's camp, baggage, and artillery, which they had abandon'd on their retreat. On this the Prince and his suite mounted on horseback and went to the town. The enemy had set fire to their camp, but the heavy rain which fell all that afternoon hinder'd the fire from doing any considerable damage. This great rain was, I believe, likewise one reason which hinder'd us from pursuing the King's army in their retreat that night to Liulithgow. Next day they return'd to Edinburgh. As for our army they were glad to get shelter from the bad weather in the town of Falkirk and in the enemy's camp. I had the honour to sup that night with the Prince, who ask'd me about my father, who, he said, was wounded. This made me very uneasy, as I had not seen my father since the beginning of the battle. So soon as we rose from table, I went thro' the town in search of my father, but cou'd get no accounts of him that night. The bad weather still continu'd, and as I was very much fatigued, I wou'd have given a great deal for a good bed, but being quite a stranger in the town I did not know where to go. I went at last into the first house which I found open, and by good luck found it occupi'd by Collonel Grant and by some of the Irish officers. Collonel Grant was so obliging as to yield me his own bed, and sat himself on a chair by the fireside all night. When I awoke next morning, my servant, whom I had order'd to enquire, told me that my father was lodg'd not far from where I was, and that he was very well. I immediately got up and went to him. Our mutual joy was very great to meet again, and to find that neither of us had receiv'd any hurt. My father told me that he had run like everybody else in pursuit of the enemy, till he came to the foot of the hill; that he had then rallied his brigade, which consisted of his own regiment, of the Mackintoshes, and of the Farquersons, and waited for further orders; but that receiving none for some hours, and seeing that all the rest of the army was march'd away, he had at last march'd into the town about ten of the clock at night. In a day or two we return'd to the quarters which we had occupi'd before the battle, and all our attention was then fixt on reducing the Castle of Sterling, the siege of which was carried on with all the vigour that the bad season of the year and the drunkenness of our famous Freuch engineer wou'd allow of. Some days after the battle our quarters were chang'd. My father's brigade was canton'd

in the country between Falkirk and the Torwood, and my father and I, with some other officers, had our quarters assign'd us at —, which was the country seat of a gentleman of the name of Dumbar. From this place I us'd to go sometimes to Bannockburn to pay my respects to the Prince, and sometimes to Falkirk to see Lord George Murray. Accounts having been soon brought to the Court of London of the defeat of Halley's army, several regiments were immediately sent from England to reinforce it ; and the Duke of Cumberland having been appointed Commander-in-chief of the King his father's forces in Scotland, arriv'd at Edenburgh about the eight or tenth of February, and immediately took upon himself the command. I have said above that the Dutch had sent over six thousand men to England to assist King George, but that their High Mightynesses had afterwards been oblig'd to recall their troops. The reason why the Dutch troops never acted against us is as follows :—They had been in garrison at Turney and at some other places in the Low Countries, which had been taken by the French the preceding campayne, and by their capitulations they were bound not to serve against France nor her allies for a certain time. The Dutch thought, however, that they cou'd send these troops to the assistance of His Britannick Majesty without appearing to break the articles of their capitulation, as they pretended not to know of any alliance between His Most Christian Majesty and Prince Charles Edward Stuart ; but Lord John Drummond, so soon as he landed in Scotland, wrote a letter to the Dutch General by order of his Court, complaining of their troops having violated the articles of their capitulation, and requiring that they should forthwith desist from all hostilities against Prince Charles Stuart, who was the ally of France, and whose army was now join'd by a body of French troops. The Court of Versailles having at the same time caus'd representations of the like nature to be made at the Hague, their High Mightynesses found it expedient to recall their troops. To repair this loss the Court of London caus'd a body of six thousand Hessians in British pay to be brought over to Scotland from the Low Countries, but these troops did not arrive in the country till after our army had rais'd the siege of Sterling Castle and was retir'd into the Highlands. While the King's army was becoming daily stronger and stronger at Edenburgh, by the considerable succours which came to them from England, our army was constantly decreasing ever since the battle of Falkirk, by the incredible number of our men who daily deserted. The Highlanders must always be employ'd, and can never thrive long in one place. They grew tir'd with the siege, which is a service which they do not understand, and which drew out longer than they had expected. Besides this they took a great longing of visiting their homes, after so long an absense, and of depositing there in safety the booty they had

gote in their late victory. The eleventh of February I had gone in to Falkirk to see what was doing there. Lord George Murray ordered me to tell my father to have his brigade assembl'd at the head of the Torwood in the dusk of the evening. We were accordingly there at the time appointed, and having been join'd by the troop from Falkirk, we march'd all together to the neighbourhood of Bannockburn. I continu'd at Bannockburn House some hours, and about midnight march'd with the regiment to our old quarters at Polmese. Before I left Bannockburn the Prince had call'd a council of war, which I thought was only to deliberate on what was the properest place to give battle to the Duke of Cumberland's army, which was then advancing against us, for I did not dream of a retreat. I had not been above an hour in bed before my father came, and he told me that it had been resolv'd in the council of war to raise the siege of Sterling Castle, and to retire to Inverness. That night the trenches were abandon'd, and so much of the canuon as cou'd not be carry'd off was nail'd up. Next morning our troops evacuated Sterling. There happen'd an unlucky accident that morning at St. Ninian's, where a Highlander having inconsiderately fir'd off his pistol, set fire to some louse gunpowder, which communicating to several barrells which were lying in the church, blew it up. Several people lost their lives on this occasion, and the Prince was not far from the church when the accident happen'd. My father and I were then about half way between Polmese and St. Ninian's, and had we not been detained at Polmese half an hour longer than we intended, we wou'd have been in the town when the church blew up. That day the army cross'd the Forth at the ford of the Frews, and march'd to Dunblain, the head marching so far as Crief. Next day the whole army march'd to Crief. We were then divided into two collumns, the one of which march'd to Inverness by the Highland road. This collumn was commauded by the Priuce himself, who had the Duke of Perth along with him. The other collumn, commanded by Lord George Murray, march'd to the same place, along the sea coast, by Aberdeen, Bamf, Strathbogie, etc. My father's regiment was in this collumn. As we had nothing to aprehend from the enemy we march'd in small divisions and by different roads, for the conveniency of quarters and provisions. The whole collumn met near Aberdeen, into which place we march'd all together. Having rested at Aberdeen two or three days, we continu'd our march, in the same manuer as formerly, to the banks of the Spey, where all the different divisions having again met, we continu'd our march together to Inverness. The Prince having march'd by the Highland road, as I have already said, took a small fort at Ruthen, in Badenoch, which he caus'd to be demolish'd, and arriv'd soon after at Moyhall, the seat of the Laird of Mackintosh, which is but a few miles distant from the

town of Inverness. The Earl of Loudoun and the President Forbes, imagining that the Prince had but few troops with him at Moyhall, resolv'd to surprise him. For this purpose the Earl of Loudoun march'd from Inverness, with a considerable body of the forces under his command ; but finding, on his approach to Moyhall, that his design was discover'd, and that the Prince was ready to receive him, he returned to Inverness, which place he likewise abandon'd on the approach of our troops, who took possession of the town without opposition, and immediately laid siege to the castle, in which Lord Loudoun had left a considerable garrison. The Prince at the same time remov'd his headquarters to Culloden House, and sent the Earl of Kilmarnock, at the head of a large body of Highlanders, in pursuit of Lord Loudoun, who was retir'd into Ross-shire. The Castle of Inverness held out but two or three days, and the garrison surrender'd prisoners at discretion on the third of March. The same day Lord George Murray's column arriv'd at that place. So soon as my father came to Culloden the Prince order'd him to go and take upon himself the command of the forces with which the Earl of Kilmarnock was gone in pursuit of the Earl of Loudoun. As my father's regiment was order'd on the same expedition, I halted only about half an hour at Culloden, to pay my duty to the Prince, and then march'd to Inverness. We stay'd there only an hour or two, and then continuing our march, we arriv'd that night at Bewly, where we found the Earl of Kilmarnock with his troops. My father having communicated to that Lord the Prince's orders, his Lordship immediately gave up the command of the troops and return'd the same night to Inverness. Next day we march'd to Dingwall, from which place we continu'd our march in a day or two towards Tain, where we expected to meet the Earl of Loudoun, but on our arrival at the Bridge of Anas we got intelligence that that Lord was cross'd over into the county of Sutherland with his troops. My father march'd that day to his seat of Tarbat House with part of the troops, and order'd the rest to follow ; but the same night and next day the greatest part of his detachment was order'd back to Inverness, and he was command'd to return with the remainder to Dingwall, and to wait there for further orders. I never cou'd hear the true reason for this sudden change of our measures, but I suppose it must have been owing to some false report of the Duke of Cumberland's motions. We continu'd a considerable time at Dingwall after this doing nothing. It being at last resolv'd at Inverness to dissipate the Earl of Loudoun's forces, several regiments were sent to reinforce my father, and we receiv'd orders to march to Tain. Some days after we had been there, the Duke of Perth came to us and took the direction of affairs on himself, tho' my father still kept the name of

Commander-in-chief. The Duke of Perth's being at Tain made my father's presence there less necessary. We went home to Tarbat House and carried some Irish and other officers along with us. The thirtieth of March, in the morning, we got an express from Tain to acquaint us that several large boats were arriv'd there from the coast of Murray. We immediately went into the town. These boats had been sent over by the Prince's orders for transporting of the troops at Tain into Sutherland, the enemy having carried away or destroy'd all the boats thereabouts. Everything having been got ready that day and the following night, the first division of our troops cross'd over into Sutherland next morning, led by the Duke of Perth, and landed without opposition, being unobserv'd by the enemy by reason of a thick fog. As we were to cross over at three different times, by reason that our boats were too few, and as my father's regiment was to be in the last division, I cross'd over with the Frasers, expecting that there wou'd be some action, at which I was desirous of being present. But the enemy, so soon as they discovered our being landed, retir'd. The county militia went to their respective homes, and the Earl of Sutherland cross'd over the Firth of Murray and went to the Duke of Cumberland's army. The Earl of Loudoun and the President Forbes retir'd with Sir Alexander Macdonald and the Laird of Macleod and their men into the Isle of Sky. The greatest part of Loudoun's own regiment was made prisoners of war, together with their Major, William MacKenzie. We march'd without loss of time to Dornoch, and so soon as my father's regiment was come over, I march'd with it to Lord Duffus's house of Skelbo, where I remain'd that night. The Macgregors and Stuarts, who had march'd the same way before me, had taken possession of three small ships which were lying at the Little Ferry, and which were fraughted by the Government. The first of April I march'd from Skelbo to the general rendezvous of our troops, from which we proceeded next day in pursuit of the enemy, and the third of the same month we return'd to Skelbo by a different road, having met with nothing to oppose us. The Duke of Perth left us in this march, and return'd to Inverness. At Skelbo my father receiv'd orders from the Prince to march himself into Caithness, or to send me into that county to raise the militia, and to take up the publick revenues for his service. The county of Caithness is mostly pcessed by the Sinclairs, who are in general well affected to the Stuart family. The Prince having, after his arrival at Inverness, solicited these gentlemen to join him, they had declar'd their willingness thereto, but at the same time requir'd that the Duke of Perth or my father might be sent to command them, and the Prince made choice of my father, and order'd him to march there himself, or to send me, as he found most proper. My father, thinking

it necessary for the P——'s service that he shou'd remain in Sutherland, where the militia of the country were still in arms in the mountains, sent me to Caithness with his own regiment. On my arrival at Wick, I wrote circular letters to all the gentlemen of the county, requiring them to meet me at Thurso on a day I fixt, and to pay up to me the publick money. A day or two after I march'd to Thurso, where I was soon after join'd by Ballon's and Dundonell's men from Lochbroom, they haveing not come out till then. Ballon's men were commanded by his brother, and Dundonell's by his uncle. The day after my arrival at Thurso, I sent Mr. Mackenzie of Ardloch with a party into the Orckney Islands, with orders to take up the publick money there, and to try if he cou'd raise any troops. The day I had appointed for the gentlemen to meet me being come, severals of them appear'd. After dinner I told them that they knew for what reason I had call'd them together, as it was at the desire of several among themselves that the P—— R—— had sent me into the country. I exhorted them to adhere to the principles which they had always profess'd, and to embrace with unanimity and zeal the favourable opportunity they now had of serving their lawful P—— by taking arms for his service. They all appear'd very hearty in the cause, and seem'd resolv'd to take arms, on which I nam'd a day when I would set up the P——'s standard. In the meantime, I was bussy in raising the publick money. Some people were unwilling to pay it, and others, who were not, wanted an appearance of compulsion, by which they might afterwards be able to justify themselves in case our army was defeated; so that I was oblig'd to send small parties through the country to compell all to pay, by which means I at last gote it. Having receiv'd advice that 100 of Lord Rea's men were posted at a village on the frontier between Caithness and Strathnaver, to cover their own country on that side, I form'd the design of surprising them, and provided proper guides for that purpose. The evening before I propos'd marching on that expedition, I communicated my design to Captain Alexander MacKenzie, Dundonell's uncle, being willing to have his opinion of it, as he was a sensible old man, and had been engag'd in the Rebellion of 1715. Captain MacKenzie having dissaprov'd my design, for reasons which I have now forgote, I dropt it. The time I had fixt for seting up the P——'s standard beeing come, I march'd with the regiment to the place appointed, which was a hill not far from Thurso. Two or three of the gentlemen of the country went along with me, but only one appear'd there with 20 or 30 men, who made but an indifferent figure. I thank'd the gentleman and his men for their zeal, and gave them leave to return home, with orders to be ready to march on the first orders.

557. NARRATIVE by JOHN LORD MACLEOD of his Campaign in the Seven Years' War in Germany, in the Year 1757.

LE Roi de Prusse voulant prevenir les Autriciens, resolu d'entrer de bonne heure en campagne. Vers le commencement d'Avril sa majesté envoyait le Prince Maurice d'Anhalt Dessau du côté d'Egra avec un corps de troupes ; il donnait en meme tems ces ordres au Marechal Schwerin de se mettre en mouvement avec son armée de Silesie, pendant que le Prince de Brounswig Bevern devait entrer en Boheme du côté de Lucace avec un corps d'environ 16,000 hommes. Le 21^{er} d'Avril les troupes Prussiennes en Saxe sortirent de leur quartiers de cantonnements et campirent entre Ottondorf et Cotta ; le 22 nous entrâmes en Boheme et campâmes a Nollendorf ; le Lieutenant-General Kyaw devait nous suivre le lendemain avec la cavalerie pesante. Le 18 du même mois le Prince de Bevern entra en Boheme avec son corps d'armée, et ayant trouvé le General Autricien Kōningsek intrenché a Reichenberg avec 18 ou 20,000 hommes, il les attaqua d'abord et força bientôt leurs intrenchments aussi bien que la ville. Les Prussiens perdirent dans cette affaire 3 ou 400 hommes ; et la perte des Autriciens pouvait monter a 12 ou 1500.

Le General Kōningsek passa l'Elbe bientôt apres cette echec, et se retira vers Prague. Le Prince de Bevern se joignait quelques jours apres avec le Marechal Schwerin qui était entré en Boheme en meme tems que lui. Le 23, l'armée du Roi marchait de Nollendorf a Linay. En approchant de cette place notre avant guard decouvrait un corps de 8000 Autriciens qui se retirerent de la a mesure que nous avançâmes, et allerent se poster tres avantageusement sur le Baskapole qu'est un haute montaigne vis a vis et en vue de Linay, ou était le quartier du Roi. Sa Majesté employait une bonne parti de l'apres midi a reconnaître l'ennemi qui faisait tres bonne mine ; il resolut de les faire attaquer le lendemain matin au petit point du jour, mais les Autriciens se retirerent pendant la nuit. Le Prince Maurice d'Anhalt Dessau nous joignait a Linay. Ce Prince était entré en Boheme pres d'Egra, et avait pris Commetau en passant. Le 24 General Kyaw arrivait avec la Cavalerie, et le lendemain nous marchâmes a Schiscowitz, ayant laissé la Ville de Lowositz a gauche.

La meme jour le Major-General Zastrow était tué comme il marchait le long de l'Elbe avec 4 battalions pour venir joindre l'armée apres avoir pris la ville

d'Aussig. Les Pandours que tuait Zastrow et quelques uns de son monde s'étaient cachés a l'autre côté de la rivière et ne firent feu qu'après que les Prussiens étaient engagés bien avant dans la défilé. Du camp de Schiscowitz nous vîmes l'armée Autricienne campé près de Budin au-delà de l'Egra ; elle paraissait alors d'être d'environ 40,000 hommes : l'armée Prussienne était de 45 a 50,000.

Le Roi de Prusse ayant pris la résolution de forcer le passage de l'Egra et de combattre les Autrichiens, l'armée se mit en marche a la sourdine le 26 a 11 heures de soir ; en arrivant sur les bords de la rivière le lendemain matin nous apprîmes que le Marechal Brown avait decampé pendant la nuit, et qu'il se retirait vers Prague. La raison de cette retraite était apparemment qu'il voulait se joindre avec le Corps du General Köningsek, et avec les autres troupes qui venaient a lui de toutes parts avant que de rien hasarder. L'armée Prussienne ayant ainsi passé l'Egra sans opposition, campa a Stradonitz. Le Lieutenant-General Sethon était détaché avec quelques escadrons de Dragons et d'Hussards a la poursuite des ennemis ; ce General leur tua quelque monde et fit un trentaine de prisonniers. Le dessein du Roi de Prusse était d'empêcher le Duc d'Arremberg, qui venait d'Egra avec 10 ou 12,000 hommes, a se joindre avec le Marechal Brown ; mais les marches forcés que le Duc d'Arremberg fit, et le tems que sa Majesté perdit en faisant passer la rivière a son armée sur un seul pont, firent manquer cet coup. Le 28 nous marchâmes a Karwatetz et le 30 a Welwari.

Le 1^{er} de May l'armée marchait a Tursko, et le Roi avec un avant garde de 20,000 hommes poussait jusque a Tuchomierzitz. Le meme jour le Prince Charles de Lorrain, qui avait nouvellement prit le commandement de l'armée Autricienne, quittait son camp sur le Weissenberg, et defilant au travers de Prague, se campait a l'autre côté du Moldau. Le 2d l'armée Prussienne marchait a Prague et prit son camp sur le Weissenberg. Le Quartier-General était a Welislavin. Le lendemain était employé a reconaitre la ville et les environs de Prague, et a faire prendre une situation convenable a l'armée pour serrer cette Place en deça de la Moldaw. Le 4 le Roi ayant appris que le Marechal Schwerin était arrivé le 30 d'Avril a Brandeis sur l'Elbe avec son armée, et que ce General devait passer cette rivière ce meme jour, ayant employé les trois premieres jours du mois a jetter ses ponts, sa Majesté marchait la meme apres midi avec 23 bataillons et 38 escadrons a Seltz, un petit demi lieu desous l'aile gauche du camp, ou elle avait resolu de passer le Moldau. Le lendemain matin les ponts étant jettés,

nous passâmes cette rivière sans opposition, et nous campâmes sur des hauteurs assez près de l'armée Autricienne ; le Marechal Schwerin fit une marche en avant la même jour et campa à un lieu et demi de nous. Son avant garde poussait un corps des Autrichiens qui était de ce côté là, mais le Prussien Major-General Wartenberg perdit la vie en cette occasion. Le Marechal Keith restait en deçà du Moldau avec 25,000 hommes, tant pour empêcher les Autrichiens, en cas de leur défaite, à se retirer de ce côté là, que pour recevoir l'armée du Roi de Prusse et couvrir sa retraite en cas qu'elle vint d'être battu.

Le 6 de May à 5 heures du matin le corps du Roi marchait par sa gauche pour se joindre avec l'armée du Marechal Schwerin qui marchait par sa droite ; après la jonction nous continuâmes de marcher par la gauche pour prendre l'aile droite des Autrichiens en flaque, les Autrichiens marchèrent par leur droite pour nous prévenir, de sorte que les deux armées se cotoyèrent pendant quelque tems. Le Marechal Schwerin ayant remarqué que les Autrichiens avaient moins de chemin à faire que les Prussiens, fit commencer l'attaque par l'infanterie de l'aile gauche avant que la seconde ligne, de laquelle la marche avait été retardé par un morass, était à portée de la soutenir. Dans cet attaque les Prussiens étaient repoussés, mais quelques bataillons de la seconde ligne étant arrivés, on raillèrent bientôt celles de la première et les ramenèrent à la charge. En même tems le General Sethon ayant passé une digue avec son régiment de Hussards prit les Autrichiens en flaque et renversait toute ce qu'il trouvait devant lui. L'attaque à l'aile droite ne commençait pas sitôt qu'à la gauche ; au commencement les Autrichiens avaient l'avantage aussi à cette aile, mais les Princes Henri de Prusse et Ferdinand de Brunswick qui commandaient à cette aile ayant bientôt ralliés leur infanterie la ramenaient à la charge.

Pendant que ceci passait aux ailes, le Roi de Prusse voyant que les Generaux Autrichiens avaient affaibli leur centre pour renforcer leurs ailes, fit une attaque vive contre cet centre qu'il renversait facilement et coupait ainsi leur armée en deux, de sorte que leurs ailes ne pouvant plus s'entre-succourir étaient mis en déroute. La Cavalerie de l'aile droite Prussienne ne donna pas à cause de la difficulté du terrain, mais celle de la gauche renversait les Autrichiens après trois charges. Le Prince Charles de Lorraine, le Marechal Brown, qui était blessé, et plusieurs Princes et Generaux se jetèrent en Prague avec 44 bataillons allemands, huit mille infanterie légère Hongroise, et 6 à 7000 Cavalerie de toute espèce. Le reste de leur armée se sauva au delà de la Zsawa et s'assembla à Benechau sous les ordres du General

Lucesi. Les Autriciens eurent plusieurs officiers et 3000 hommes tués sur le champ de bataille, on leur prirent environ 40 officiers et 4000 prisonniers ; tous les hopitaux et couvents de Prague etaient remplis de leur blessés, et on trouva aussi de leur soldats blessés dans tous les villages pour un lieu à l'entour du champ de bataille, de sorte que leur perte, 'y compris 5 ou 6000 hommes qui se debanderent après la bataille et qui se jetterent dans la haute Palatinat et autres provinces de l'Empire, allait au dela de 20,000 hommes. On leur prit aussi 36 pieces de canons, 11 etendars, un grand nombre de tentes et beaucoup de baggage. Les Prussiens perdirent le Marechal Schwerin, le General von Amstel, deux Collonels, quelques Lieutenant-Collonels, plusieurs officiers inferieurs, et 3500 hommes tués sur la place. Ils eurent 7 Generaux, un grand nombre d'autres officiers et 5700 soldats blessés, la plus grand parti mort depuis de leur blessures ; ils perdirent outre cela pendant la bataille 2200 hommes, des quelles quelques uns etaient pris prisonniers, mais la plus grand parti par desertion : ainsi la perte total de l'armée Prussienne, sans conter les officiers, montait à 11,400 hommes.

Le jour apres la bataille le Roi investissait Prague de ce côté là de la Moldau, de sorte que la ville et l'armée qui etait dedans etaient alors bloqué des deux côtés de la riviere ; on fit remonter le pont que le Roi avait construit, plus près de Prague, et on jettait un autre pont de communication au dessus de la ville, entre Köningshall et le Wisherad. Le Prince Maurice d'Anhalt Dessau campait de ce coté là avec 8 ou 10,000 hommes pour empecher les Autriciens de sortir par là. Cet corps du Prince Maurice fit l'aile droite de l'armée du Marechal Keith. Le 9^{eme} le Roi fit chacher les Autriciens de quelques ouvrages qu'ils avaient sur le Siskaberg ; la meme soir les Autriciens tachaient de reprendre ces ouvrages, mais sans success. Deux jours après la bataille le Prince de Bevern etait envoyez avec 12 battalions et 50 esquadrons contre le Marechal Daun ; ce General etait arrivé à Teutch Brod avec son corps d'environ 15,000 hommes dans la design de joindre la grande armée Autricienne quand il apprit leur defaite, sur quoy il se retirait après avoir recuillé les troupes qui s'etaient r'assamblés à Benechau. Environ dans le meme tems le Lieutenant Collonel Meyer etait envoyez avec 2 battalions francs et 2 esquadrons d'hussards dans les Evechés de Wurtzburg et Bamberg et dans la haute Palatinat pour empecher l'armée de l'Empire de s'assembler ; ce partisan en passant par Pilsen ruinait un magazin tres considerable que les Autriciens avaient en cette ville.

Le Roy de Prusse ayant resolu de faire son possible pour forcer l'armée qui etait en Prague de se rendre prisonier de guerre, crut que le seul moyen d'y reussir etait par bombardment, veu qu'il n'était guere possible d'assiéger en forme une ville comme Prague defendu par une armée de 40,000 hommes. Comme il avait toute raison à croire que le Prince Charles de Lorrain fera un effort de sortir de Prague en portant tous ces forces contre le corps du Roi, ou contre celle du Marechal Keith, qui etant separés par une riviere ne pouvaient pas s'entre-succourir, on prit tous les precautions possibles pour faire manquer une telle entreprise aux Autrichiens. Pour cet effet on firent des lignes de contrevalation des deux cotés de la riviere avec des redouts de distance à distance. Le Marechal fit faire trois redouts sur le Weissenberg vis à vis du Laurenceberg. On mit de canons dans les redouts et sur les lignes. Les Autrichiens avaient une poste sur l'extremité du Weissenberg dans une maison appellé le Strowhans, qui etait sous les canons du Laurenceberg, et environ à 800 pas devant les trois redouts Prussienues. C'était près d'un jardin dans la plaine et à la gauche, suivant la position de l'armée Prussienne, de cet Strowhaus et du Laurenceberg que le Marechal Keith avait resolu de mettre son batterie de mortiers et de canons. Son Excellence y fit faire un redout pour couvrir la batterie ; Elle fit aussi eriger une quatrième redout sur le Weissenberg à 3 à 400 pas devant les trois autres, pour couvrir plus efficacement son batterie dans la plaine.

Quand la redout dans la plaine etait pret, mais avant que les canons et les mortiers y furent placés, les Autrichiens firent un effort de ruiner cet ouvrage. C'était la nuit du 23 au 24 de May que cette sortie se fit : elle etait de 14 ou 15,000 hommes. Les deux battalions Prussienues qui couvraient cet ouvrage soutinrent tres bien la première attaque, et plusieurs regiments ayant été envoyez au premier allarm pour les soutenir, il en suivit un combat très vif pendant trois heures, après quoy les Autrichiens furent obligés de rentrer en ville sans avoir rensis dans leur design, et avec perte de 500 hommes ; les Prussiens eurent 48 hommes tués et 13 officiers, outre le Prince Ferdinand de Prusse, et 204 hommes blessés dans cette affaire. La grosse artillerie etant arrivé bien tot après de Saxe, et tous les batteries, savoir 3 du côté du Roi et 1 du côté du Marechal Keith, etant en etate, on commençait la nuit du 29 au 30 de May à jeter des bombs et des boulets rouges dans la ville. Cette grosse artillerie consistait de 18 mortiers, et 26 pieces de canons de 24 et 12 livres. Le Marechal avait 6 mortiers et 8 canons de 12 livres

à son batterie, et la reste etait du coté du Roi. Le lendemain les deux ponts de communication sur le Moldau furent rompus par un grand orrage, mais le Prince Charles de Lorraine ne fit aucune tentative de profiter de cet malheur au grand ettonnement de tous les Generaux Prussiens. Les ponts furent reparés deux jours après.

La nuit du dernier de May au 1^{er} de Juin 10,000 Autriciens, moitié cavalerie moitié infanterie, sortirent de la ville du coté du Roi, mais ils s'arretterent à 1000 pas des lignes sans rien tenter, et rentrerent bientôt après en ville après avoir essayez un cannonade tres vif. Ils furent plus heureux à notre coté de la riviere la nuit du 2 au 3, car ils surprirent la redout la plus avancée sur le Weissenberg avec une fleche qu'on avait fait deux jours auparavant à la main droite et qui se joignait à la redout par un communication. Les granadiers Autriciens entrèrent dans ces deux ouvrages en meme tems et sans tirer un coup de musquet, car les deux officiers qui y'commandaient, et à leur exemple leur monde, etaient endormis ; au premiere allarm le marechal fit avancer quelques compagnies de granadiers de ce coté la, mais les Autriciens etaient deja retirés, et ammenèrent avec eux 3 pieces de canons de 12 livres qui etaient dans la redout ; on y mirent 3 autres dans leur place, mais 8 jours après le Roi fit raser ces deux ouvrages, et sa majesté ordonnait en meme tems au marechal de retirer son batterie dans la plaine ; la raison qu'on donnait pour cela etait que cette batterie etait trop eloignée de la ville pour faire grande mal, mais la distance n'etait que de 1000 pas, et je croye que la veritable raison etait un manquement de bombs, car on n'avait que 5000 en tout depuis le commencement, et le Roi voulait les avoir pour ces batteries qui, etant sur le Siskaberg, commandaient une bonne parti de la ville. La jour après que notre batterie fut retiré, les Autriciens prirent possession du jardin et du redout où elle avait été, et quoyqu'on fit marcher une battalion franc avec une compagnie de granadiers et quelques hussards pour les chacher de là, les Prussiens furent pourtemens repoussés, et les Autriciens resterent les maitres de cette porte jusque à la fin du siege.

Pendant que le Roi de Prusse restait devant Prague avec la plus grande parti de son armée, le Prince de Bevern avait poussé le Marechal Daun vers les frontieres de la Moravie ; ce General se retira pour faciliter sa jonction avec les secours qui lui vinrent de cette province et des deux Autriches. Le Prince de Bevern, de qui l'armée avait été augmenté jusque à 19 battalions et 85 esquadrons, avait pris Planian, Collin, Teutch-Brod, Chaslau et quelques autres

posts, dans quelques unes de celles il avait trouvé des petits magasins que les Autriciens n'avaient pas eu le tems d'ammener avec eux. Le Marechal Daun ayant enfin reçu tous ses succours, fit une marche en avant l'onsé de Juin avec une armée d'environ 50,000 hommes et une nombreuse artillerie ; le Prince de Bevern se trouvant trop foible pour combattre le General Autricien se replia sur Collin. Le 13 le Roi de Prusse marchait avec 6 battalions et 11 esquadrons pour se joindre avec le Prince de Bevern. Le 15 Prince Maurice d'Anhalt Dessau prit le meme chemin avec 6 battalions et 5 esquadrons.

Tous ces troupes étant jointes, le Roi marchait le 18 avec 32,000 hommes aux Autriciens, qui furent postés très avantageusement à Cossomitz entre Collin et Planian. Sa majesté les fit canonner quelque tems pour tacher de les faire descendre dans la plaine, mais voyant qu'ils ne voulerent pas quitter leur avantage, elle fit attaquer leur aile droite à deux heurs après midi ; son design n'était pas d'engager une affaire generale, ainsi Elle ordonnait au Prince Maurice qui commandait son aile droite de refuser le combat, et de se tirer tousjours à gauche pour soutenir l'attaque de ce côté là. Cet attaque fut heureuse au commencement, les Autriciens furent chassés de deux hauteurs, et leur aile droite mise en confusion, les Prussiens prirent plusieurs canons et plus que 500 prisonniers. Les troupes de l'aile droite voyant ceci, crièrent au Prince Maurice qu'il était honteuse pour eux de rester spectateurs tranquilles du bonheur de leur camarades, et qu'ils seront bien aises d'avoir leur part dans la victoire. Le Prince cedant à l'ardeur des troupes, marcha contre l'aile gauche Autricienne, et par cet mouvement laissa une grande ouverture entre les deux ailes Prussiennes ; la cavalerie Autricienne profitante d'abord de ce faute, entra par cette ouverture, et prit l'infanterie Prussienne en flanke et par derriere, de sort qu'elle fut alors facilement renversé ; elle fut raillié et rammené plusieurs fois à la charge mais sans succès ; quand l'infanterie ne pouvait plus, sa majesté Prussienne ramassa toute la Cavalerie qu'elle pouvait trouver, et fit un dernier effort pour gagner la haute de la montagne, mais la cavalerie fut renversé sur l'infanterie et toute l'armée mise en deroute. Les Prussiens perdirent 15,000 hommes, y compris quelques milliers de deserteurs, plus que 40 canons et un grand nombre de drapeaux et d'étandards dans cette bataille. La perte des Autriciens allait, suivant leur propre aveu, à 5000 hommes. Les debris de l'armée Prussienne se rassemblant à un lieu et demi du champ de bataille, et cela d'autant plus facilement qu'ils ne furent point poursuivés. Le Roi donnait le commandement au P. Maurice avec ordre de se retirer à Nimburg et d'y passer

l'Elbe. Sa Majesté se rendait elle meme le 19 avec un petit escorte à son ancien quartier general devant Prague.

Comme le grand point de veu du Roi de Prusse depuis la bataille de Prague, avoit été de prendre cette ville et l'armée que étoit bloqué dedans, bien de gens s'étonnerent pour quoy sa Majesté avoit risqué d'attaquer avec une armée inferieure l'armée Autricienne dans leur posts avantageux de Cossomitz, puisqu'il paroissoit plus convenable à ses interets de laisser le soin au Marechal Daun de le venir chercher dans quelque bonne poste qu'elle aurait peut occuper ; ce que le General Autricien aurait été obligé de faire, ou autrement se résoudre à voir Prague et l'armée de Prince Charles de Lorraine forcés de se rendre bientôt à discretion manque de vivres ; car on savoit que le soldat n'eut plus que la moitié du pain qu'il devoit avoir, que les Generals memes ne mangerent plus que du chaire de cheval, que près de 900 maisons furent deja brullés, et qu'en fin il y avoit grande misere dans la ville.

J'ai tâché de m'informer des motives que auront peu determiner sa Majesté Prussienne d'agir en cette occasion contre les regles ordinaires de la guerre, et voici ce que le Marechal Keith m'a dit la desus. Le ministere d'Hanovre avoit demandé avec instance un secours de 20,000 hommes, declarant en meme tems que sans un tel renfort leur armée n'étoit pas en etate de faire tête aux Francois. Le Roi ne se crut pas en etate de leur fournir un corps si considerable tant qu'il avoit l'armée de Marechal Daun en tête, et que celle de Prince Charles se defendoit encore ; mais sa Majesté croyoit que si Elle puvoit venir à bout de dissiper l'armée de Daun, qu'elle seroit alors en etate de laisser une armée suffisante devant Prague pour prendre cette ville et pour garder la Boheme, et d'envoyer en meme tems, ou peutetre d'aller Elle meme avec 20 ou 25,000 hommes joindre le Duc de Cumberland et combattre les Français. L'execution de ce project ne souffroit aucune delai, parceque le Roi craignoit tousjours qu'autrement la Cour d'Hanovre ne conclude une neutralité pour elle meme, ou que leur armée ne fut battue, et que dans l'un ou l'autre cas l'armée Francoise n'entrât bientôt en Brandenburg ou en Saxe. Un tel evenement aura forcé sa majesté sans avoir perdu une bataille de lever la siege de Prague et d'evacuer la Boheme pour aller defendre la Saxe et ses propres Etates ; rien de plus puvoit lui arriver s'il fut battu, mais s'il gaignoit la victoire contre Daun et succouroit les Hanoveriens à tems, tout cela étoit prevenu.

Outres ces raisons, je croye aussi que le Roi se fioit trop dans la bonté

de ses troupes, et qu'il méprisoit trop ses ennemis, car je sçai que le Marechal Keith lui offrait, avant son départ pour se joindre avec le Prince de Bevern, quelques bataillons de son armée plus que ceux qu'il vouloit prendre, mais il les refusoit. Le roi craignant après son retour devant Prague, que le Marechal Daun n'en profitât plus de sa victoire qu'il n'en fit, en poursuivant l'armée de Prince Maurice pour l'accabler à son passage de l'Elbe, ou en marchant droit à Prague pour lui tomber sous les bras, fit retirer la nuit du 19 au 20 ses batteries et l'artillerie des lignes ; le 20 à trois heures du matin sa majesté levait la siege et marchoit à Brandeis pour y passer l'Elbe, et ordonnoit en même tems au Marechal Keith de se retirer avec son armée à Boudin, et d'y passer l'Egra. En conséquence de ces ordres son Excellence fit retirer l'artillerie des lignes à onze heures avant midi et la fit d'abord prendre le devant avec le gros bagage sous l'escorte de deux bataillons. Le Prince Charles de Lorraine voyant par les mouvements dans le camp que nous allions nous retirer, (et le sachant aussi plus particulièrement par une lettre que le Marechal Keith écrivoit au Marechal Brown quelques heures avant la retraite, pour lui recommander les malades et les blessés de l'armée qu'on avoit résolu de laisser en arrière), sortit de la ville entre 1 et 2 heures après midi avec 25 à 30,000 hommes qu'il mit en ordre de bataille sur le Weissenberg près du Strawhaus et vis à vis des trois redouts Prussiens ; son aile droite s'étendoit dans la plaine et sa gauche devant le Couvent de St. Margaret, et plus loin devant le corps du General Winterfeldt.

A trois heures le Marechal fit battre la générale, et un quart d'heure après l'assemblée. En même tems toute la cavalerie et 5 bataillons de Granadiers se mirent en ordre de bataille sous les ordres du Lieutenant-General Smettau, sur le Weissenberg derrière les trois redouts, pour faire l'arrière garde de l'armée. A trois heures et demi l'armée se mit en marche l'aile droite par sa gauche, et l'aile gauche par sa droite, et l'aile gauche essuyoit, en défilant le long des lignes, un vif canonade de 10 au 12 petits canons que les Autrichiens avoient placés sur le Weissenberg à 4 ou 500 pas de nous. Cet canonade fit pourtant plus de bruit que de mal, car l'artillerie Autrichienne ne vaille guère mieux que la Prussienne. Quand nous fûmes arrivés près du village de Rusin, le General Smettau fit retirer les Granadiers qui furent dans les redouts devant lui, et l'arrière garde se mit en mouvement. Les Autrichiens commencerent à marcher en avant en même tems, et prirent possession des lignes et des redouts quand l'arrière garde étoit à 150 pas de là, à mesure que l'infanterie

arrivoit sur l'hauteur de Russin, le Marechal la fit mettre en bataille pour soutenir le General Smettan en cas qu'il fut poussé ; ce General nous joinit bientôt après, n'ayant eu qu'un petit feu de mousqueterie à soutenir avec les Autriciens que poursuivrent tres mollement.

Après l'arrivé de l'ariere garde nous restammes encore plus qu'une heure en bataille, le Marechal ayant resolu de combattre les Autriciens s'ils voullernt venir à nous, mais ils firent alt sur le Weissenberg. Ce que determinoit son Excellence à risquer la combat fut la bonne contenance des troupes que ne demandernt pas mieux que de venir aux mains ; quoy que nous n'étions en tout que 19,000 hommes. Elle se fiat aussi dans la bonté du poste que nous occupammes. Voyant en fin que le Prince Charles de Lorraine ne voullat rien hasarder, l'armée se remit en marche sur 2 colonnes, et nous arrivammes le lendemain matin à 6 heurs à Mikowitz où nous restammes toute la journée. Pendant cette marche de nuit nous ne fummes point poursuivés, et l'armée fit plusieurs alts ; l'une etoit de 3 heurs. La perte des Prussiens dans cette retraite puvoit monter à 600 hommes tués blessés et pris prisoniers ; mais ils perdirent plus considerablement pendant la nuit par desertion.

Le 21 une parti de 300 Prussiens qui avoit été à Beraun fut coupé par un gros d'Autriciens dans sa marche pour venir nous joindre, et elle fut taillé en pieces ou prite prisoniere. La meme aprèsmidi une grosse parti de Pandours et d'hussards attaquèrent la ville de Welwarn defendu par 200 hommes ; cette ville etoit à un petit lieu deriere le Camp. Au premiere bruite le marechal fit marcher un regiment de Dragons et 4 battalions à ce coté là, et à leur approche les Autriciens se retirerent. Le 22 l'armée marchait à Boudin où elle passat l'Egra sour le seul pont de cette ville, et campat sour les bords de cette riviere que etait devant la front. Pendant toute la marche nous ne vimmes pas un seul hussard Autricien. Le 25 nous marchammes à Leitmeritz, et campammes avec l'aile droite au village de Lukowitz, la gauche appuié sur l'Egra et l'Elbe deriere le camp ; par cette position la ville de Lowositz fut deriere l'aile droite, et la ville et le pont de Leitmeritz deriere l'aile gauche. Le lendemain le Marechal fit partir quelques battalions et 2 regiments d'hussards pour occuper les defilés du Bascopole et de Nollendorf et par cette moyen tenir la communication libre entre l'armée et la Saxe.

Pendant que l'armée du Marechal Keith se retiroit à Leitmeritz, le Roi ayant passé l'Elbe à Brandeis, remontoit cette riviere pour se joindre avec le Prince

Maurice d'Anhalt Dessau qui avoit passé a Nunburg ; la jonction se fit entre ces deux endroits à Lissau, et alors sa Majesté marchoit à Melnik où Elle laissoit le commandement de cette armée au Prince Maurice, et le 27 elle vint Elle meme à Leitmeritz avec 14 battalions et 7 regiments de cavalerie. Elle fit passer l'Elbe à toute la cavalerie et à 8 battalions qui winternt au camp, 2 battalions resternt à Leitmeritz où étoit la quartier Generale, et les 4 autres battalions camperent du meme coté de la riviere pour couvrir la ville. Le Roi, d'abord après son arrivé, fit partir le Prince de Prusse pour prendre le commandement de l'autre armée, et le Prince Maurice vint bientôt après à nous.

Pendant toute le tems que nous restammes à Leitmeritz il n'arrivoit rien de remarquable de ce coté là. Le 3 de Juliet un corps de 1500 pandours et 2 escadrons d'hussards Autriciens attaqua une battalion de Granadiers Prussiens qui étoit posté dans le village de Welmina à moitié chemin entre l'aile droite du camp et le montaigne du Bascopole. Un regiment de dragons fut envoyé du camp et un escadron d'hussards du Bascopole pour succourir les granadiers, et à leur approach les Autriciens se retirerent. En attendant le Prince Charles de Lorraine s'étant jointe avec le Marechal Daun, toute l'armée Autricienne passa l'Elbe à Brandeis et se portoit à Jung Buntzlau sur l'Iser ; le Prince de Prusse étoit posté a Neuschloss, et bien tot après son Altesse Roial marchoit à Böhmish Leypa, où Elle fut jointe par 6000 hommes de nouvelles levés venus de la Silesie. Bien tot après le Prince de Lorraine passa l'Iser et porta ses principales forces contre le Prince de Prusse. Le 10 de Juliet le General Nadasti vint camper avec un corps de 8 à 10,000 hommes, la plus part troupes legeres, à une lieu devant les 4 battalions qui couvroient Leitmeritz, sur quoy le Prince Henri de Prusse passa l'Elbe avec 8 battalions et 20 escadrons pour renforcer le petit camp. Le Comte Nadasti reçut quelques jours après un renfort de 6000 hommes, et ce General resta vis à vis du corps de Prince Henri jusque à ce que l'armée quitta Leitmeritz. Il passa tous les jours des petits escarmouches entre les gardes avancés de ces deux corps mais de nul consequence.

La grande armée Autricienne après plusieurs mouvements, ayant en fin gaigné une marche sur le Prince de Prusse, prite la ville de Gabel le 16 du mois. Le Major General Putkammer, qui 'y commandoit, fut fait prisonier de guerre avec sa garnison de 3 battalions. La prise de Gabel ayant ouvert le chemin aux Autriciens pour entrer en Lucace, le Roi de Prusse se vit dans

la nécessité d'évacuer la Bohème plutôt qu'il n'avoit eu dessein de le faire pour se mettre en état de couvrir la Saxe et ses propres États. Le Prince de Prusse eut ordre de sa Majesté de se porter au plutôt avec son armée en Lucace, et le 21 de Juillet le Prince Henri de Prusse passa l'Elbe avec son corps sur le pont de Leitmeritz, et S. A. R. ne fut point harcelé dans sa retraite par le Comte Nadasti, qui restoit tranquille dans son Camp ; seulement 500 hussards et pandours suivirent l'arrière garde mais sans faire aucune mal. Le même jour toute l'armée marchoit une demi lieue à droite et campa à Sulowitz au pied des montagnes, de sorte que la ville de Lowositz étoit derrière l'aile gauche. Le lendemain nous marchâmes à Linay.

Pendant cette marche nous eûmes beaucoup de tirailerie avec les pandours et hussards Autrichiens qui furent dans les bois des deux côtés de chemin, mais sans perte du côté ou d'autre. Le 24 le Roi partit de Linay avec 10,000 hommes pour se rendre en Lucace. Sa Majesté marchoit ce jour là à Nollendorf, le lendemain à Cotta en Saxe, le 26 à Pirna, le 28 Elle passa l'Elbe, et le 30 Elle arrivoit à Weissenberg en Lucace, où le Prince de Prusse étoit arrivé quelques jours avant avec son armée. Sa Majesté y vint trop tard pour sauver Zittau que les Autrichiens avoient réduite en cendres quelques jours auparavant par bombardement. Le Marechal Daun n'avoit pas épargné cette ville quoiqu'elle appartenait à la Saxe, à cause d'une magasin que les Prussiens y avoient. Le Marechal Keith restoit encore quelques jours à Linay sans qu'il y passât quelque chose de considérable ; un corps d'Autrichiens s'étant montrés aux environs d'Aussig où un régiment d'infanterie étoit en garnison, et où étoient les foyers de l'armée, le Marechal envoyoit le Major General Grabow avec 5 bataillons et 1 escadron d'hussards pour couvrir cette ville. Le 28 son Excellence fit partir le gros bagage et l'artillerie pour Nollendorf sous l'escorte de 2 bataillons et de quelque Cavalerie. Les pandours qui furent dans les bois tuèrent par leur feu plusieurs chevaux, et par ce moyen se rendirent maîtres de quelques chariots de bagage et d'une canon de 12 lb. Le 29 l'armée se mit en marche et fut jointe à moitié chemin par le corps d'Aussig. Le General Grabow avoit négligé de faire partir le jour auparavant son bagage, suivant les ordres du Marechal, et elle embarrassoit beaucoup la marche des troupes. Nous fûmes harcelés toute la journée par les Autrichiens qui avoient mis deux batteries à un défilé près de Culm, l'une à droite, l'autre à gauche des Colonnes ; celle de la droite étoit trop éloignée pour faire du mal, mais celle de la gauche étoit fort près, sur quoi le

Marechal fit marcher un regiment d'infanterie contre les Autriciens, qui furent bientot chassés de leur batterie et poussés dans le fonde du bois. Nous perdimmes dans cette marche quelques baggages et environs 200 hommes tués, blessés ou pris prisonniers.

Aussi tot que nous fummes arrivés à Nollendorf, le Marechal fit partir le gros baggage sous l'escorte de 3 battalions et de quelques hussards qui y avoient été depuis quelque tems aux ordres du Major-General Asseburg ; ce General eut ordre de faire occuper par un parti de son Corps les defilés de Gotliebe et de Gesliebe par où l'armée devoit passer le lendemain pour rentrer en Saxe ; par cet precaution nous marchames le 30 sans molestation et formames deux camps, l'un à Cotta de 12 battalions et 20 esquadrons sous les ordres de Prince Maurice d'Anhalt Dessau, l'autre commandé par le Marechal, à Geos. Le dernier de Juliet le corps du Marechal marchoit à Pirna ; le Prince Maurice devoit rester près de Cotta pour couvrir la Saxe de ce coté là ; la 2 d'Aout nous marchames à Dresde où nous passames l'Elbe ; la 3^{me} l'armée marchoit à Radbeck et le 4 à Bishofswerda. Le Roi étoit toujours à Weissenberg avec un corps, le Prince de Bevern avec un autre corps étoit près de Görlitz, et le Lieutenant-General Winterfeldt étoit posté encore plus à gauche, dans les Montagnes entre la Boheme et la Lucace, avec quelques regiments.

Tel étoit la situation de l'armée Prussienne le 16 d'Aout quand je la quittai pour me rendre en Pomeranie. Ces 5 corps puvoient monter alors à environs 70,000 hommes. Je tachai de m'informer, avant mon depart de l'armée Prussienne, à quoy puvoit aller leur perte pendant la campagne de Boheme, et plusieurs de leur officiers m'assurerent que cela montoit à 80,000 hommes, que la moitié de cet nombre avoit été tué, blessé, ou faite prisonniers, et qu'ils avoient perdu l'autre moitié par la desertion. *Fin.*

THE GRANDVALE AND CROMARTIE BRANCH.

THE HONOURABLE SIR KENNETH MACKENZIE, BARONET,
OF GRANDVALE AND CROMARTIE,

SECOND SURVIVING SON OF GEORGE FIRST EARL OF CROMARTIE.

BORN *circa* 1658; DIED 1729.

SIR KENNETH MACKENZIE was the third-born son of the first Earl of Cromartie; but by the death of Roderick Mackenzie, his eldest brother, he became the Earl's second surviving son.

Some years after his elevation to the peerage in 1685, the Earl put his son Kenneth into possession of the estate of Cromartie, which he had purchased from the Urquharts a few years previously; and in 1704 he also resigned his baronetcy for a regrant in favour of Sir Kenneth, bearing the precedency of the original patent of 1628. The object which Lord Cromartie had in view in thus providing the estate of Cromartie and his baronetcy to Sir Kenneth, was to establish a branch of his family, to be known as the Mackenzies of Cromartie; and, for a time, his aim seemed to be realised. Sir Kenneth married, and had a large family of sons. But although his eldest son, George, inherited the estate of Cromartie, and married, he had no family. He sold the estate, and only one of his brothers, Kenneth, inherited the title of baronet. Sir Kenneth, the third baronet, however, and all his brothers died without issue; and thus, in the course of two short generations, the object of Lord Cromartie in establishing the branch of the Mackenzies of Cromartie entirely failed. A notice of Sir Kenneth the first, when a young man, occurs in a letter from Hugh Dallas to his father, Lord Tarbat, of which an extract follows:—

24th March 1694.

... I think ye and your son slepps over and forgetts these wrytts off the estate off Cromartie, and the best and most off them, that ly in Brodie's hands, and I cannot help that. Alway about a quarter a year agoe I gave Brodie's subservyed inventar of them, with his

holograph letters, direct for me, still promising to delyver the papers, upon receipt of his inventar forsaide and obleidgmt on the end off it, to your son Cromartie, upon his receipt to me, together with my information and desyre that he should goe to Brodie and gett the papers, and withall to be merrie, and take a religious quaiich and glass of good liquor with the honest gentleman. But nothing done as yet ; so pairt tnixt yow and your son. Alway for that neglect and laziness I did yesterday, in my own house, by words (and some of them improper), lunder and abuse him ; and he promised to make amends for that fault shortly. I look upon your son as a brave gentleman, and I think will doe very weell in business, and spill nothing. But reallie my opinion is that he will prove a second Sir Ludovick for pivishness, churleing, and gathering ; and in that not lyke his old father. And I marvell what sorrow makes your Lordship does not ty him to marriage, to which I can nather see or hear that he hes any inclination, for which I expostulat with him yesterday, and told him if it was for greed off gear he was, and so waited that opportunitie, and not be content with what he hade, I advysed him getting your consent to goe presently court and marie Abraham Leslie off Fendrassie, be which he wold gett neir fourtie chalders off heretage, wheroff neir threttie coutiguous to Cromartie ; and your son said franklie he wold tell it, and gave me comission be word to move the motion to Fendrassie. And I will doe it iff your Lordship allow me be letter ; for without your ordor I will nather medle nor mak with your sons in business, for they are kneiff boyes, and I not for their handling, except to flytt with them, and in that I am also good as the best of them, and will not spare them as occasion requyrs, being your sones.¹

Sir Kenneth and his younger brother, Sir James Mackenzie of Royston, were created baronets in the same year, the patent of the latter being dated the 8th of February 1704. Sir Kenneth's patent was dated on the 29th of April 1704, and contained the original precedence of the patent of his grandfather, Sir John, who was created a baronet in 1628. Sir Kenneth was Member of Parliament for the county of Cromartie in the reigns of King William and Queen Anne. Like his father, he warmly supported the treaty of Union with England ; and he was one of the members nominated by the Parliament of Scotland, on 13th February 1707, to sit in the United Parliament of Great Britain. He was chosen Member for the county of Cromartie at the general election in 1710. He was re-chosen iu 1727, and he died in 1729. A new writ for that county was ordered on 22d January 1729, in consequence of his decease, and his eldest son, Sir George, was elected as his successor.

Like the other members of his family, Sir Kenneth was a correspondent of his father, Lord Cromartie. The following letter is quoted as a specimen of his correspondence:—

¹ Letter at Tarbat House.

Cromertie, May 9 [*circa* 1704].

MY LORD,—Now that I understand the Parliment is to sitt, I woud gladly know your Lordship's pleasure as to my coming or not. The truth is, I was never worse boden of money. But if my coming cane be of use to your Lordship, I shall make many shifts. I gott very litle thauks from the King's servants for my former zeall, and expects as litle from the Queen's. *Sed tu mihi Mecenas.*

I must now complain of Bernard McKenzie, whom you have made Bishope. He carries to me, for what reason I know not, disobligeingly and unkindly, and does all he cane to put my neighbours and me by the eares. He calls them fooms for allowing me the casualities of their fish-boats, and will needs have them raise declarators of their rights, and told me to my face he woud make Cromertie a brugh royall. He is also very positive that he will exact the dignities' teynds, at least the dean's, who is five years since dead. I thought fitt to acquaint your Lordship of this, that you may know what kind of people they are you procure favoures for. I know no apologie cane be made for him, but that he is alwayes drunk. He fancies I stand in his way from buying Dunskeath's interest, wherin he was mistaken. But now I will doe all I cane to make him pey dear for it, for I desire noe such a neighbour. I begg your Lordship may testifie your resentment to such ungratitud, and acquaint me of your commands by the post if occatione offer, not otherwayes. I give my most humble duty to my Lady, and ame,

Your Lordship's obedient sone and humble servant,

KEN. MCKENZIE.

Sir Kenneth Mackenzie married before the year 1701, Anne Campbell; and of that marriage there were six sons and several daughters.¹ The sons were—

- (1.) George, who succeeded.
- (2.) Colin, who was baptised on 6th January 1703.
- (3.) James, who was born on 20th February 1709.
- (4.) Campbell, who was born and baptised on 8th November 1710.
- (5.) Gerard, who was born on 27th September 1712.
- (6.) Kenneth, the date of whose birth is not recorded. He succeeded his brother, Sir George, in the baronetcy.

Colin, James, Campbell, and Gerard appear to have all died young and unmarried, as their youngest brother, Kenneth, succeeded to their eldest brother, Sir George, in his title of baronet.

One of the daughters of Sir Kenneth was Catherine, who married Dr. Adam Murray, physician in Stirling, and died there on 17th June 1755. Another of Sir Kenneth's daughters was Margaret Mackenzie. In a letter from Simon Lord

¹ Registers of the parish of Cromartie.

Lovat to the Laird of Grant, he writes that he had the honour and pleasure to have a visit from a very agreeable lady, Mrs. Margaret Mackenzie, a daughter of Sir Kenneth Mackenzie of Cromartie. She stayed at Beaufort with his Lordship five or six days, and they were very merry.¹

Soon after that meeting, as will be seen in the memoir of her brother, Sir George, Margaret Mackenzie, Lady Margaret as she is there called, had a cruel fate on the sale of Cromartie by her brother.

SIR GEORGE MACKENZIE OF GRANDVALE AND CROMARTIE,

SECOND BARONET UNDER THE REGRANT OF 1704.

1729-1748.

SIR GEORGE was the eldest son and successor of Sir Kenneth. He also succeeded his father in the representation in Parliament of the county of Cromartie, having been elected Member in 1729.

Sir George was a correspondent of his cousin, Lord Tarbat, afterwards third Earl of Cromartie. In a letter, dated Edinburgh, April 2, 1730, he says, "I have no news to divert you, the companie being mostly gone out of toun. They have lately gott some new strolers down who performed last night with some applause. The house, which is a very little pitefull hole, was very full of very homely course women. In short, I could not have thought there were so many ugly devills in Edinburgh as I saw there. Your old freind Lady Mary was there, who is yet somewhat tolerable, but grows every day less a beauty and more a fool. As ane instance of her wisdom, she has lately refused Mr. Murray of Abercairny, a well looking ladde, and a very good estate, because he's not quality."²

The affairs of Sir George became embarrassed, and his estate of Cromartie was sold in 1741 to Captain William Urquhart of Meldrum.

At the sale a question arose about the use of the Girnelt house and the port of Cromartie by the Earl of Cromartie. It is thus stated in a letter, dated 17th December 1741, by Mr. John Baillie, Writer to the Signet in Edinburgh, to George third Earl of Cromartie:—

¹ Original Letter, dated from Beaufort, 24th April 1740, at Castle Grant.

² Original Letter at Tarbat House.

"I did, before Sir George M'Kenzie's estate was roup'd, enter a protest in your Lordship's name as to the use of the Girnle house and the port and harbour of Cromertie, when your Lordship should have occasion for it ; as also on seing Sir Kenneth's charter under the great seal, which is in bad Latin, I imagined your Lordship had also the use of passage free on the ferry. But upon looking into the dispositions from the Earl to his son, it is not there, tho' in the Latin it would seem the warrant or disposition had it. Your Lordship will peruse the inclosed petition, and acquaint Mr. Gordon, or me, what answer to make to it, for Captain Urquhart, the real purchaser, is inclined to shun all occasion of debate with your Lordship. The use of the port and harbour cannot be deny'd your Lordship. But should the Girnle become ruinous, the question is who should keep it up, and if it be worth your Lordship's while to be at charge about it, and am affraid there is no ground for the passage in the ferry, tho' I would ommit no opportunity to vindicate your right by entring the protest."¹

The Girnle house referred to by Mr. Baillie was used for storing the corn that was to be shipped at the Ness. The first Earl of Cromartie frequently chartered ships to convey grain from his estates in Cromartie to the port of Leith.

On the death of his uncle, Lord Royston, in 1744, Sir George Mackenzie was the heir to the title of Baronet. He was then a double Baronet, the one dating from 1628, and the other from 1704. But although thus possessed of two baronetcies, he was soon to part with his only estate of Cromartie.

The following graphic account of the late years of Sir George Mackenzie of Cromartie, and of his sale of the estate to one with the name of the ancient possessors, is given in a popular work by a distinguished native of the town of Cromartie :—

"Sir George, in his younger days, had been, like his grandfather the Earl, a stirring, active, man of business. He was a staunch Tory, and on the downfall of Oxford, and the coming in of the Whigs, he continued to fret away the very energies of his character in a fruitless, splenetic opposition, until at length, losing heart in the contest, from being one of the most active he became one of the most indolent men in the country. He drank hard, lived grossly, and seemed indifferent to everything. And never were there two persons better suited to each other than the lawyer and Sir George. The lawyer was always happiest in his calculations when his books were open to the inspection of no one but himself ; and the laird, though he had a habit of reckoning over the bottle, commonly fell asleep before the amount was cast up. An untoward destiny, however, proved too hard for Macculloch in even this office. Apathetical as Sir George was deemed, there was one of his feelings which had survived the wreck of all the others : that one a rooted aversion to the town of Cromarty, and in particular to that part of the country adjacent, which was his own property. No one—least of all himself—could assign any cause for this aversion, but it existed and grew stronger every day ; and the consequences were ruinous to Macculloch, for in a few years after he had appointed him to the

¹ Original Letter at Tarbat House.

factorship, he disposed of all his lands to a Mr. William Urquhart of Meldrum, a transaction which is said to have had the effect of converting his antipathy into regret. The factor set himself to seek out for another master, and in a manner agreeable to his character. He professed much satisfaction that the estate should have passed into the hands of so excellent a gentleman as Mr. Urquhart, and proposed to some of the townsfolk that they should eat to his prosperity in a public dinner, and light up a constellation of bonfires on the heights which overlook the bay. The proposal took; the dinner was attended by a party of the more respectable inhabitants, and the bonfires by all the children.

"A sister of Sir George's, the Lady Margaret, who a few years before had shared in the hopes and principles of her cousin, Lord Cromartie, and who had witnessed, with no common sensation of grief, the disastrous termination of the enterprise in which he had been led to engage, was at this time the only tenant of Cromarty Castle. She had resided in the house of Lord George previous to his attainder, but, on that event, she had come to Cromarty to live with her brother. His low habits of intemperance proved to her a fruitful source of vexation; but how was the feeling deepened when in about a week after he had set out on a hasty journey, the purpose of which he refused to explain, she received a letter from him, informing her that he had sold all his lands. She saw in a step so rash and unadvised the final ruin of her family, and felt with peculiar bitterness that she had no longer a home. Leaning over a window of the castle, she was indulging in the feelings her circumstances suggested, and looking with an unavailing but natural regret on the fields and hamlets which had so soon become the property of a stranger, when Macculloch and his followers came marching out on the lawn below from the adjoining wood, and began to pile on a little eminence in front of the castle the materials of a bonfire. It seemed, from the effect produced on the poor lady, that it was only necessary entirely to overpower her that she should be shown that the circumstance which was so full of distress to her was an occasion of rejoicing to others. For a few seconds she seemed stupified by the shouts and exultations of the party below, and then clasping her hands upon her breast, she burst into tears and hurried to her apartment. As the evening darkened into night, the light of the huge fire without was reflected through a window on the curtains of her bed. She requested her attendant to shut it out, but the wild shouts of Macculloch's followers, which were echoed until an hour after midnight by the turrets above and the vaults below, could not be excluded. In the morning Lady Margaret was in a high fever, and in a few days after she was dead.

"The first to welcome the new laird to his property was Macculloch the factor. Urquhart of Meldrum, or Captain Urquhart, as he was termed, had made his money on sea,—some said as the master of an Indiaman, some as the captain of a privateer. He was a rough, unpolished man, fond of a rude joke, and disposed to seek his companions among farmers and mechanics rather than among the people of a higher sphere. But with all his rudeness, he was shrewd and intelligent, and qualified by a peculiar tact to be a judge of men. When Macculloch was shown into his room, he neither returned his bow, nor motioned him to a seat, though the lawyer, no way daunted, proceeded to address him in a long train of compliments and congratulations. 'Humph,' replied the captain. 'Ah,' thought the lawyer, 'you will at least hear reason.' He proceeded to state that as he had been entrusted with the solo

management of Sir George's affairs, he was better acquainted than any one else with the resources of the estate, and the character of the tenants, and that should Mr. Urquhart please to continue him in his office he would convince him he was the fittest person to occupy it to his advantage. 'Humph,' replied the captain, 'for how many years, sir lawyer, have you been factor to Mackenzie?' 'For about five,' was the reply. 'And was he not a good master?' 'Yes, sir, rather good, certainly,—but his unfortunate habits.' 'His habits!—he drunk grog, did he not? and served it out for himself?—mark me, sir factor, you are a — mean rascal, and shall never finger a penny of mine. You found in Mackenzie a good simple fellow, who employed you when no one else would; but no sooner had he unshipped himself than you hoisted colours for me,—you, whom, I suppose, you could tie up to the yard-arm for somewhat less than a bred hangman would tie up a thief for,—aye, that you could. I have heard of your dinner, sir, and your bonfires, and of the death of Lady Margaret (had you another bonfire for that?), and now tell you once for all that I despise you as one of the meanest — rascals that ever turned tail on a friend in distress. Off, sir, here is the door.' Such was the reward of Macculloch. In a few years after he had sunk into poverty and contempt, one instance of many, that rascality, however profitable in the degree, may be carried into a ruinous extreme, and that he who sets out with a determination of cheating every one, may at length prove too cunning for even himself."¹

The above picture is probably much over coloured in regard to all the characters introduced into it; and such traditions require to be received with caution.

Sir George Mackenzie of Cromartie married, about the year 1747, Elizabeth, sister of Captain John Reid of Greenwich, without issue. Sir George died in May 1748, and was buried at Dingwall, probably in the ground of the Cromartie family there. This appears from a letter from John Mackenzie of Meddat to the third Earl of Cromartie, dated 27th May 1748, in which he mentions Sir George's death. He says—"I wrot your Lordship by last post that Sir George was very badd. He died last Fryday night, and was interred yeasterday at Dingwall. There was a hansome interment, and the most of the gentlemen of the name were there. He was long thinking of matromony, and it soon gott the better of him. I was told he left all to his lady."²

Lady Mackenzie survived her husband, Sir George, for the long period of fifty-nine years, and died at Inverness on 24th August 1807, aged 84 years.³ She had an annuity of £50 out of the interest of the surplus price of Roystoun, when it was granted to Lord Macleod in 1766, the payment to begin from the death, in 1763, of Sir Kenneth Mackenzie of Cromartie, the younger brother of Sir George.

¹ Scenes and Legends of the North of Scotland, by Hugh Miller, pp. 353-7.

² Letter at Tarbat House.

³ Scots Magazine, vol. lxi. p. 799.

SIR KENNETH MACKENZIE,

THE THIRD BARONET UNDER THE REGRANT OF 1704.

1748-1763.

ON the death of Sir George in 1748, his brother Kenneth succeeded, and became the fifth baronet from the original creation of the title in the year 1628, and the third from the regrant of 1704. Sir Kenneth possessed the baronetcy for fifteen years. He never married, and died in the year 1763, when the baronetcy lay dormant until revived by Alexander Mackenzie, Lieutenant-Colonel in the service of the East India Company, who assumed the title of baronet as the heir-male collateral of the Honourable Sir Kenneth Mackenzie of Grandvale and Cromartie, the first of this branch, who obtained the regrant of the dignity in 1704. Sir Alexander Mackenzie was descended from Alexander, the fourth son of Sir John Mackenzie of Tarbat, the first Baronet.

A description of the ancient castle of Cromartie, as it was possessed by the family of Urquhart, is given in a subsequent Chapter on the Baronies, by the same distinguished native of Cromartie already quoted.

SIR JAMES MACKENZIE OF ROYSTON, BARONET, LORD ROYSTON,

THIRD SURVIVING SON OF THE FIRST EARL OF CROMARTIE.

BORN 1671 ; DIED 1744.

ELIZABETH MACKENZIE OF ROSEHAUGH.

MR. JAMES MACKENZIE was born in the year 1671. He became a student at the University of Oxford, where he was noted for his modest behaviour and close application to his studies. Professor David Gregorie, writing to Lord Cromartie on the 25th of March 1693, says, "I may assure your Lordship that his whole conduct while at Oxon has been such as your Lordship would have approved every step of it had you been present." Mr. William Strachan, writing from Oxford on 27th September 1693, specially about Mr. Mackenzie's studies there, says, "He has spent his time very diligently in his studies, and the daily improvements that he makes therein do give just grounds to hope that he will prove a comfort to his relations, and an ornament to his country. His civil and prudent carriage has recommended him very much to the favour and good esteem of Dr. Bouchier, our professor of law, Dr. Charlet, and several other persons of considerable note in this university. I am only sorry we are so soon deprived of his company, for this day he is parted from hence on his journey to Holland." As to living at Oxford, he adds, "I know some people are of opinion that it is mighty cheap and easie living in this place, but when they come to make trial of it they find it quite otherwise." Professor Gregorie, in a postscript to this letter, referring to a report of a quarrel between Mr. Mackenzie and some of his fellow-students, says it could only be because he was civil and modest and made close application to his studies, which might make some of them foresee that the figure he would make afterwards would surpass theirs.¹

On leaving Oxford Mr. Mackenzie went to the University of Utrecht, in the Netherlands, to finish his education. This university was a favourite one with Scotsmen at that time. In the letter to his father, telling of his journey to Utrecht, he says that he believed there were no less than fifty Scotsmen at Utrecht

¹ Letters at Tarbat House.

then, which was the year 1693. At that time James Mackenzie was only eighteen years of age. He says that living at Utrecht was not so cheap as at Oxford. It being a time of war, the fleet from the Thames to Holland went under convoy of four great men-of-war. He landed at Briell; went thence to Rotterdam, Delft, the Hague, and Leyden, on his way to Utrecht. His letter gives interesting descriptions of the places he visited.¹ On completing his education he devoted himself to the profession of law, was admitted an advocate on the 19th of November 1698, and soon became one of the most distinguished members of the Scottish Bar.

Her Majesty Queen Anne was pleased to create him a Baronet, by patent dated 8th February 1704, with limitation to him and his heirs-male whatsoever.² The patent bears to be granted for his good and thankful services, and also for the many notable and eminent services done by his father, George Earl of Cromartie, to the Queen and her royal progenitors.

Sir James Mackenzie was a frequent correspondent of his father, Lord Cromartie, and many of his letters are printed in the present collection. They relate to both public and private affairs.

On the resignation of his uncle, Roderick Mackenzie, Lord Prestonhall, as an ordinary Lord of Session, Sir James Mackenzie was appointed his successor, and took his seat on the 7th of June 1710 as Lord Royston. He obtained from her Majesty, Queen Anne, a royal commission, dated 22d July, same year, as a Lord of Justiciary in the room of James Erskine, Lord Grange, who succeeded, as Lord Justice-Clerk, Adam Cockburn of Ormiston, whom her Majesty had deprived of that office, though he retained his place as an ordinary Lord till his death. James second Duke of Queensberry, one of the principal Secretaries of State, in a letter to Lord Royston, which he sent along with the Queen's commission of the same date, informs him that as it was said that the late Justice-Clerk intended to dispute her Majesty's power of depriving him, it was the Queen's pleasure that his commission should not take effect till the other matter should be adjusted, and this was expressly mentioned in his patent.

In the year 1739 Lord Royston, with the concurrence of George Mackenzie, his son, obtained an Act of Parliament, authorising him, with the consent of Charles Erskine of Tinwall, Lord Advocate, the Honourable William Maule of Panmure, and others, or any two of them, to sell the barony of Royston for the purpose of discharging the debts affecting it. The Act declared that Lord Royston should not,

¹ Letter, vol. i. pp. 98-100.

² Reg. Mag. Sig., Lib. lxxx. No. 24, *supra*, p. 359.

by selling the barony of Royston, be considered as contravening the entail of the barony. The Act further provided that the trustees should lay out the surplus of the price in the purchase of other lands in fee-simple, which should be settled on Lord Royston and the other surviving heirs of entail, according to their different rights and interests, and in the same order and course of succession secured to them respectively by the entail of the barony of Royston. The barony was purchased by John second Duke of Argyll, who made it one of his residences, and changed the name of the mansion to Caroline Park.

After Lord Royston's death without surviving male issue, a lawsuit was commenced by Sir George Mackenzie of Grandvale and Cromartie, as next heir in the entail of Royston, against Sir John Steuart of Grandtully, the grandchild of Lord Royston, on the allegation that debts had been created by Lord Royston to lessen the surplus price available to the heirs of entail for the benefit of his grandchild. Sir George appears to have died before his lawsuit was decided; but his successor, Sir Kenneth Mackenzie of Grandvale and Cromartie, ultimately succeeded in it. On the death of Sir Kenneth in 1763, the third Earl of Cromartie was next heir of entail, but, being under forfeiture, the surplus price became escheated to the Crown. In 1766 a gift of the interest of it was made by the Crown to Lord Macleod, through the influence of the Court of Sweden, as already mentioned, subject to an annuity of £50 to Lady Mackenzie, widow of Sir George Mackenzie of Grandvale and Cromartie, and another of the same amount to Mr. Callender of Craigforth. The surplus price then amounted to £4813, 17s. 9d.

Lord Royston possessed for some time the superiority of Little Farnese, which had been given to him for a freehold qualification in the shire of Cromartie. Some years before his death he purchased the lands of Avoch from Mackenzie of Delvin, and to this property he gave the name of Farnese. It was commonly called Avoch, *alias* Farnese.

Lord Royston married Elizabeth, youngest daughter of Sir George Mackenzie of Rosehaugh, well known as Lord Advocate in the reigns of Charles the Second and James the Seventh, who, from the alleged severity with which he prosecuted the nonconforming Presbyterians, acquired the soubriquet of "the bloody Mackenzie." This lady was the widow of Sir Archibald Cockburn of Langton. On the death of her father, Sir George Mackenzie, Lord Advocate, a dispute respecting his entailed estates of Belmont arose between Lord Royston's son, George

Mackenzie, and James first Earl of Bute, who married Agnes Mackenzie, eldest daughter of Sir George, the Lord Advocate, and the case was brought before the Court of Session, where it was long and keenly contested. After varying decisions, the suit was ultimately decided in favour of the Bute family; and the present Earl of Wharnccliffe, who is a branch of the Bute family, is the successor of the Lord Advocate Mackenzie in his entailed estates.

By Elizabeth Mackenzie, Lord Royston had one son and one daughter:—

1. George of Farnese, who married Isabella Steuart, daughter of Mr. Archibald Steuart, Writer to the Signet. George Mackenzie of Farnese died at Edinburgh, on the 15th of May 1744, “after a tedious illness,” without issue. His remains were laid, on the 18th of the same month, in the tomb of his maternal grandfather, Sir George Mackenzie of Roschaugh, in the Greyfriars’ Churchyard, Edinburgh.¹ In intimating his death to his grandson, John Steuart, son of Colonel John Steuart, Lord Royston adds, “My present distress does not permit me to write more, but that I am, dear child, your afflicted grandfather.” Isabella Steuart survived George Mackenzie, and married, secondly, on the 3d of October 1748, Sir Robert Henderson of Fordell, Baronet, to whom she had a son, Sir John Henderson of Fordell, Baronet.

2. Elizabeth Mackenzie, who married Colonel John Steuart, afterwards Sir John Steuart of Grandtully. Colonel Steuart, as representing Lord Royston, sold the lands of Avoch or New Farnese, with some other superiorities, which Lord Royston retained in Ross and Cromartie. Sir John Steuart survived his first wife, Elizabeth Mackenzie. His second wife was the Lady Jane Douglas, sister and heiress of the last Duke of Douglas; and her two sons by him gave rise to the famous Douglas cause, which was decided in favour of the elder surviving son, Archibald Douglas, who was created Lord Douglas of Douglas.

¹ Greyfriars’ Burial Register, vol. xvii. p. 277. Sir George Mackenzie, as Lord Advocate, had to act as public prosecutor of the Covenanters. This made him very unpopular with the great body of the Scottish people. His monument was long regarded with abhorrence by the good people of Edinburgh, as it was generally believed that the spirit of the persecutor could get no rest in its gloomy vault. The boy used to consider

himself very brave who could go up to the door and cry in at the key-hole—

“Bluidy Mackenzie, come oot if ye daur,
Lift the sneck, and draw the bar!”

After which he would run off as if hobgoblins were after him, and would not venture to look back till he was out of the churchyard.—[Epitaphs and Monumental Inscriptions in Greyfriars’ Churchyard, pp. 238-9.]

Lord Royston died at Edinburgh on the 9th of November 1744, aged seventy-three years, being then the senior Lord of Session, and was buried in the tomb of his father-in-law, Sir George Mackenzie of Rosehaugh, in the Greyfriars' Churchyard, Edinburgh. He is described as a person of vast learning, honour, and probity; impartial in judgment, justly ranked among the first judges, in criminal causes, of the age, and, in private life, a most polite, friendly, agreeable facetious, and affable gentleman.

A copy of Sir George Mackenzie's Criminal Law, containing copious notes in the handwriting of his son-in-law, Lord Royston, is preserved in the Advocate's Library, Edinburgh, and, in a catalogue of books belonging to Sir George Steuart of Grandtully, Baronet, appears the entry—"Royston's (Lord) Manuscript Works, . . . 4 vols." What has become of these manuscripts is unknown. They may have been sold in 1760 with the books of Sir George Steuart. An original portrait of Lord Royston, in oil, on canvas, was also at Murthly, and sold on the dispersion of the collection after the death of the late Sir William Drummond Steuart. That portrait is now in the collection of Mr. J. A. Butti, dealer, Queen Street, Edinburgh. It represents a very fine face, and a large broad brow, indicating great intellectual power.

The original portrait of the first Earl of Cromartie, which was also in the Murthly collection, was purchased for the Faculty of Advocates, and it was placed in their collection of portraits in the Parliament House.

A description of Royston House, now Caroline Park, is given in a subsequent Chapter on the Baronies. Royston House was chiefly rebuilt by the first Earl of Cromartie.

BARONIES AND CASTLES INHERITED AND ACQUIRED BY
GEORGE FIRST EARL OF CROMARTIE. 1654-1714.

THE BARONY, REGALITY, AND CASTLE OF TARBAT.

IN the memoir of the first Earl of Cromartie it has been shown that the lands which he inherited from his father, Sir John, and his grandfather, Sir Roderick Mackenzie, with others which he himself acquired, were erected in the year 1678 into one barony, called the Barony of Tarbat.

The erection was made by King Charles the Second, by a charter under the Great Seal, dated at Whitehall the 13th of September 1678, in favour of Sir George Mackenzie of Tarbat, Knight-Baronet, and John Mackenzie, his eldest surviving son.

The charter of erection united the various lands which Sir George intended to form the patrimony of the main line of his family. It included the barony of Coigeach, the lands acquired by Sir Rorie from the barons of Kintail, including Culteod and Glenskiach, Kirkton of Fodderty, lands of Inchveandie and Ochterneid, lands of Inchrorie, etc., and those he acquired from the family of Dunbar, and others, including Easter Aird, Easter Tarbat, with tower and fortalice, Meikle Tarrell, with manor-place, which were erected into the barony of Meikle Tarrell by a Crown Charter in favour of Sir Rorie Mackenzie; the parts of the lands and barony of Delny, which were purchased chiefly from Sir Robert Innes by Sir George Mackenzie of Tarbat, including Wester Pollo, Badebaa, the lands of Milntoun of Meddat, with office of Mair of Ross and others; and many other lands, patronages, etc., including the heritable office of Bailie of the burgh of Tain within the four girth crosses. By the charter of erection, these were all united into the BARONY OF TARBAT. The manor-place of Tarbat was ordained to be the chief messuage of the whole barony.

The charter further proceeding on the narrative that it would prove useful and convenient to the King's lieges visiting the shires of Ross, Sutherland, Caith-

ness, Orkney, and Shetland, granted that the town of Milntoun should be erected into a burgh of barony, and annexed and incorporated the houses and buildings of Milntoun into the burgh of barony of Tarbat, ordaining the name of it thenceforth to be Tarbat; and also erected the city and town of Portmachalmok, within the barony of Easter Tarbat, into another burgh of barony, because it was a town having a commodious haven and shelter for ships, and well adapted for trade, if there were a sufficient port and receptacle provided for ships there for the transport of victual; which city and town of Portmahomack the King ordained in all time coming to be called the town of Castlehaven; with power to the grantee to erect market-crosses in both burghs of barony, and to hold weekly markets and yearly fairs.¹ The first Earl of Cromartie built a stone pier at Portmahomack, but it was allowed to fall into decay.

On a small creek on the north side of Tarbatness, named Port a' Chaisteil or Castlehaven, is the site of an ancient castle or fort. From this fort the first Earl of Cromartie took his junior title of Lord Castlehaven, and he also transferred the name of Castlehaven from the ancient fort of Port a' Chaisteil to the village of Portmahomack. The charter ordains that the name of Portmachalmok was to be changed to the town of Castlehaven. Lady Margaret Erskine, mother of the first Earl of Cromartie, was styled Lady Castlehaven some years later. On 18th September 1712, George first Earl of Cromartie granted a bond of corroboration of three bonds by John Master of Tarbat, whereby he became bound to pay to George Macleod, son of Alexander Macleod, to whom the bonds had been granted, the sum of £3701 Scots, and in security to infest George Macleod in an annual rent of £203, 11s. 1d. Scots, furth of the barony of Castlehaven,² which was probably descriptive of Easter Tarbat and the adjoining lands. John second Earl of Cromartie gave a commission to Norman Macleod, in Wilkhaven, in Tarbat, to be his chamberlain for the baronies of Castlehaven and Eister Aird and New Tarbat, and to be baron-bailie within the baronies of Delnie and of Castlehaven and New Tarbat, dated at New Tarbat, 7th December 1714.³ In the year 1681, Sir George Mackenzie obtained a ratification by Parliament of the erection of the barony of Tarbat,⁴ and in the same year an Act of Parliament was passed erecting Milntoun or Tarbat into a burgh of barony in his favour, with a weekly market, two yearly fairs, and rights of harbour.⁵

¹ Reg. Mag. Sig., Lib. lxvii. No. 65.

² Cromartie Writs, Bundle Y, No. 141.

³ Cromartie Writs, Bundle 3 O, No. 5.

⁴ Acts of Parliament, 1681, c. 131, vol. viii. p. 384.

⁵ *Ibid.* vol. viii. p. 386.

The village of Portmahomack, although sometimes called Castlehaven in the writs describing it, has retained its original name.

King James the Seventh, as a mark of his royal favour, granted to the Viscount of Tarbat a signature for a charter to be made and passed under the Great Seal, erecting the barony of Tarbat into a free regality, to be called the REGALITY OF TARBAT, and ordaining the burgh of barony of Tarbat to be the principal burgh of the regality. That signature recounts the services of Lord Tarbat in very flattering terms : " His Majestie calling to mind the great, dutiefull, and acceptable services done and performed be the said George Viscount of Taret to his late Majestie, both as one of the ordinarie Lords of Session, thereafter as Lord Justice-General of the said kingdome of Scotland, and as Lord Register, and likeways to his present Majestie the tyme of the late rebellion, and in effect in all Parliaments, Conventions of Estates, and all other capacities, stations, and employments quherin he had occasion to give evidents of his loyaltie, and of his constant and dutiful adherence to his Majestie's crown and dignitie ; and being desirous and willing, out of his bountie and goodness, to conferr a furdur chartor of his royal favor upon the said George Viscount of Taret, and the said Master of Taret, his sone, and their posteritie, and to encourage them to persevere and continue according to their bond dutie in the like services for the future."

In terms of that signature, a charter passed the Great Seal on 9th June 1686, in favour of Lord Tarbat, of the regality of Tarbat.¹ The erection of the regality was ratified in the Parliament of Scotland in the same year.²

The place from which Sir George Mackenzie transferred the name of Tarbat to Milntoun and the whole barony was Easter Tarbat, in the parish of Tarbat. Easter Tarbat was acquired by Sir Rorie Mackenzie of Coigeach, Knight, in the year 1623. In that year he purchased from George Monro of Meikle Tarrell the lands of Eister Aird, Eister Tarbat, and Meikle Tarrell, for the sum of 110,000 merks. The disposition is dated at Nairn 17th May 1623 ; and he obtained from King James the Sixth a charter of these lands on 31st July 1623, by which they were erected into a barony, to be called the barony of Meikle Tarrell, the manor-place of Meikle Tarrell to be the principal messuage. The lands of Easter Tarbat were called sometimes Ballone. The principal residence on them while they belonged to the Dunbars was the Castle of Tarbat or Ballone, a large structure, now in ruins. It was probably erected by the Earls of Ross ; and it was the

¹ Reg. Mag. Sig., Lib. lxxi. No. 148.

² Acts of Parliament, 1686, c. 58, vol. viii. p. 624.

largest of six mansions in the parish of Tarbat, which were inhabited down to the beginning of the last century. A drawing of Tarbat or Ballone Castle is given in this work. Besides these six mansions, there were three chapels in the parish. One of these was called Dunbar's Chapel.

Easter Aird belonged to the Earldom of Ross, and was granted, in 1463, by John of Yle and Earl of Ross, to Donald Corbatt, his native esquire, having formerly belonged to John Tullach.¹ They remained in possession of the family of Corbet for a considerable time, and were sometimes called Corbet's Land. In 1538 they came into the possession of James Dunbar of Tarbat. George Monro of Tarrell bought them in 1610; and his son sold them to Sir Rorie Mackenzie.

Tarrell also was part of the Earldom of Ross, and was held by a family of the same name of Tarrell as early as 1382, and before that by a family named Boner. In that year Alexander Stewart, Earl of Buchan, Lord of Ross and of Badenach, granted a writ, certifying that Andrew of Terrell was cited to compare before the Earl at Dingwall to show by what evidents he held his tenement of Terrell. Andrew of Terrell, through infirmity, was unable to appear, but his procurators, in a Court held at Dingwall on the 4th of March 1382, said, and pledged themselves, that Andrew's charter was burnt and destroyed by a fire in the church of Tarbat, but that the mode of his infeftment was thus: that his predecessor, John, called Boner, was infeft heritably in the lands of Terrell by a charter from William, late Earl of Ross, father of Hugh Earl of Ross, for service, homage, and three suits at the three head courts of the earldom of Ross, paying therefor three merks to the Earl and his successors, which three merks William Earl of Ross gave heritably to Andrew of Terrell and his heirs, together with ten shillings annually from the lands of "Estirharde." These allegations were put to an assize and found proven, and are certified, under the Earl's seal, by writ, dated 4th March 1382.²

In 1505 Angus McCulloch succeeded to the estate of Meikle Tarrell, as heir to his grandmother, Enfamia Tarrell; and it remained in his family till it was acquired by the Monros, through the marriage of Marion McCulloch, the heiress, to George Monro, son and heir of George Monro of Newmoir.

Easter Tarbat belonged to the Earldom of Ross, but in the end of the fifteenth century it was acquired by the Dunbars, who held it till it was sold at the same

¹ Charter, p. 331-2, *supra*.

² Original writs of the late Mr. William Stevenson *penes* Robert Haldane, Esq., W.S.

Transumpt made 8th October 1484, *supra*, pp. 322-324.



TARBAT CASTLE - OR BALLONE.



TARBAT CASTLE — OR BALLONE.

time as Easter Aird to George Monro of Tarrell. Wester Tarbat, commonly called Seafeld, was separate from Easter Tarbat, and the marches between these lands were sometimes in controversy. In the year 1700 Wester Tarbat belonged to James Fraser of Auchnagairne. Mr. Murray of Geanies is the present proprietor.

Tarbat appears to have formed a favourite part of the estates of the Earls of Ross. The district to the east of Portmahomack was of old called the Forest of the Earls of Ross. Ferquhard Earl of Ross founded an abbey of Premonstratensian monks at Fearn, near Kincardine, in Strathcarron; but about the year 1238 he removed the abbey to the parish of Tarbat, after which it was called New Fearn, or Nova Farina. He granted to the monks the free use of timber and fuel out of his woods.

Sir John Mackenzie took his designation from Tarbat, and his son, Sir George Mackenzie, transferred the name to Milntoun and the barony, and he took his titles as a Lord of Session, and as Viscount, from Tarbat.

Among the other lands and estates incorporated into the barony of Tarbat was included a property which Sir George Mackenzie bought in the year 1656 from Sir Robert Innes of that Ilk. By disposition, dated 21st June of that year, Sir George acquired the lands of Milntoun of Meddat, with the mills, the office of principal serjeant or mair of the Earldom of Ross, the mair's croft in Balconie, the merkland of Tulloch, the lands and barony of Delny, and others therein specified. Milntoun of Meddat, or Meath, as it was anciently called, previously belonged to the family of Monro, and was disposed and apprised from George Monro of Milntoun to Robert Innes of that Ilk in the year 1627. The Milntoun is situated on the coast of the Cromartie Firth, in the parish of Kilmuir Easter.

The office of principal mair or mair of fee of the Earldom of Ross was a very ancient one, and several of the fees and perquisites attached to it were peculiar. In the year 1591 a decret of the Lords of Council and Session was obtained by Andrew Monro of Newmoir, principal mair of the Earldom of Ross, against Andrew Lord Dingwall and the feuars, farmers, and possessors of the Earldom of Ross, for his fees of the office, to wit, 40s. 8d. for the ordinary fee of the said Earldom yearly, and for every sack of corn brought to the shore to be shipped "ane gopin of corn," estimated at half a lippy, and out of every chaldor of victual delivered thereat to the "mair" two pecks, etc.¹ The collection of the mair's fees seems to have caused some trouble, and the law had to be occasionally invoked to enforce payment. A precept of poinding was issued by Kenneth Earl of Seaforth,

¹ Cromartie Writs, Bundle 2 Y, No. 425.

sheriff-principal of Ross, and his depute of Easter Ross, at the instance of Sir George Mackenzie of Tarbat, knight, heritable mair of fee within the Earldom of Ross, both as to property and tenandry "All be-east Kinardie and Dingwall," against Donald Foulter of Meikle Allan, and others, for the mair's fées due by them for horse and plough darrachs, etc. The precept is dated 3d November 1681.¹

Sir George Mackenzie also purchased other parts of the ancient barony of Delny from the other owners. These lands of the barony of Delny had formerly formed part of the Earldom of Ross, and the Earls had a castle at Delny, of which no part now remains.

On the lands of Milntoun, acquired by Sir George Mackenzie in 1656, there was an ancient castle, which was built by the Monros. The probable date of the building of the Castle of Milntoun is ascertained from an allusion to it in the life of John fifth Earl of Sutherland, who died in the year 1567. He is represented as a great supporter and defender of the Monros, and particularly of the family of Milntoun, whom he maintained against Ross, Laird of Balnagowan. When the Monros first began to build the house of Milntoun, Earl John went himself in person to defend them against Balnagowan, who endeavoured to stop and hinder their building that castle. On his return home into Sutherland, he left a company of men at Milntoun for their defence against the Rosses, until the greater part of the house was finished; which kindness the Monros of Milntoun acknowledged long afterwards.²

The *Monro Aisle* at the Church of Kilmuir Easter is a building of architectural taste; on the wall is engraved an eagle, the armorial crest of the Monros.

The Monros were early proprietors of Milntoun. One of the lairds, about the time of Mary Queen of Scots, was named Andrew *Monro*, and he is popularly known in the district as "*Black Andrew Monro*," whether from his personal appearance or the bad actions with which tradition associates his memory is unknown. In the year 1849 a large quantity of human bones were dug up in a vault of the old castle of Milntoun near the dungeon. The bones filled a cart, and were interred in the churchyard of Kilmuir Easter. The bones were readily believed by the common people to be the remains of the victims of *Black Andrew Monro*, who, as feudal proprietor, did many cruel deeds. One of these is still narrated, that on the fixing of disputed marches between the adjoining properties

¹ *Cromartie Writs*, Bundle 2 Y, No. 433.

² *Genealogy of the Earls of Sutherland*, by Sir Robert Gordon, p. 146.

of Milntoun and Balnagowan, he caused a pit to be dug, and an old woman who gave evidence unfavourable to him to be buried alive with her head down. The place is called to this day Callich or Galley stone or grave, meaning the burial-place of the old woman. The gallows-hill of the barony of Milntoun is situated on the march between Milntoun and Balnagowan, near the manse of the Free Church minister of Logie; and the Drowning Pool, used for drowning of women, is adjacent to that manse. Near the Gallowshill and Drowning Pool human bones were found when excavations were made for the Dingwall and Golspie Railway.

The fate of Black Andrew Monro was very striking. After issuing one of his arbitrary orders that all his female servants should work in harvest-time in a state of nudity, he was coming out of his house to see that his order was duly obeyed, when he fell down his own stairs and broke his neck. The field in which his female servants were then at harvest-work is still pointed out, situated between the old castle of Milntoun and the shore of Cromartie, directly opposite to the present mansion-house of Tarbat.

After Sir George Mackenzie acquired Milntoun from the Monros in 1656, the mansion of Milntoun became one of the principal residences of Sir George. His mother, Dame Margaret Erskine, styled "Ladie Tarbatt," was residing there in 1658. Sir George made considerable additions to the mansion-house of Milntoun, and changed the name from Milntoun to NEW TARBAT. After the death of the first Earl of Cromartie that name was occasionally changed into Tarbat Castle, and ultimately into Tarbat House, now the proper name of the new and present mansion, which was built when the former castle became dilapidated. According to an entry in the Kalendar of Fearn, the old house of Milntoun was burnt down accidentally by the nest of a jackdaw, which had been built in some part of the house, having taken fire. The entry in the register quaintly records that on "The 19 of May 1642, the hous of Miltoun was brint negligentie be ane keai's nest." Adjoining to the old Castle of Milntoun on the north is a large earthen mound, which is popularly called the "Pipers' Mount," from a tradition that the pipers of the Barons came and played the bagpipes around it.

The Viscount of Tarbat, in a letter in 1681, gave his son, the Master of Tarbat, instructions about the building of New Tarbat.¹

¹ Letter, vol. i. pp. 55, 56.

New Tarbat was the principal residence in Ross-shire of the first Earl of Cromartie. When he finally retired from public life he made New Tarbat his retreat, and there he ended his days. As a mansion it was considered, says the minister of the parish in the Statistical Account, the "pride of Ross both for situation and policy, which contained the largest forest trees in the country." A representation of it is given in this work, from an original architectural drawing of the old mansion now in the present House of Tarbat.

The last Earl of Cromartie, while he was Lord Tarbat, made considerable alterations on Tarbat House. In the year 1728, he contracted with tradesmen that they should throw down that part of it called *Monro's Old Work*, being two sides and one gable, to clear and rid the foundation, and then to build up and erect the walls and gable, being the wester mid-gable of the house, to the same height and thickness as before, which is alike with the rest of the house. Fifteen windows were to be in the side walls.¹

Some of the oldest inhabitants at Milntoun village remember assisting in taking down the mansion-house of Tarbat when the new house was being built. They describe the great hall as having been of dimensions so large that the music of a fiddle playing at one end of the room could not be heard at the other end.

Lady Anna Sinclair, Viscountess of Tarbat, was infetted in liferent in the manor-house, gardens, orchards, etc., of New Tarbat and others, on 17th January 1689, on a precept contained in a charter under the Great Seal, dated 4th December 1688;² and Margaret Countess of Wemyss had also a liferent of the manor-house of New Tarbat, and of the lands of New Tarbat, Milntoun of Meddat, and others, in 1700, on her marriage with George Viscount of Tarbat.

On his own resignation, the first Earl of Cromartie obtained from Queen Anne a charter of resignation, dated in 1707, to himself in liferent, and to his grandson, George Master of Macleod, of the barony of Tarbat, and also the half of the manor-place of Fearn, formerly called the Monastery of Fearn, the lands of Easter and Middle Geanies, and the superiority of the said half Abbacy of Fearn, afterwards called the Barony of Geanies, the Chaplainries of Tarbat, and many others, with the heritable office of Sheriff of Cromartie, all of new erected into the BARONY OF TARBAT.

John second Earl of Cromartie resided at New Tarbat in the lifetime of his father. Writing to Lord Cromartie from Tarbat, on the 24th April 1706,

¹ Cromartie Papers, vol. i. No. 64.

² Cromartie Writs, Bundle 4 B, Nos. 8, 9.

after speaking of wainscoting, flooring, raising of stormheads, etc., which were going on at Tarbat, he says :—

“The information your Lordship had of my being forced to ly in the drawing-room uas falls, for my uife only stayed ther till her bed-chamber and closet in the third storie uas finished (I mean neu floored and lyned) ; so, if your resolution of coming north this season hold, ther’s no doubt of your Lordship’s haveing accomodation, I mean, the first or second apartment uhich you pleas to chouse, and the pavilion-room for you[r] daughter. So, if your Lordship pleases, ther’s no necessity of your going either to Castelleod or Cromerty. Tho’ Tarbat uer not your oun house, as your oldest son, I justly pretend to the honour of your staying with me. Ther’s more uant of furnitore then room in Tarbat ; but if a part of the furnitor left at Castelleod uer added to uhut is allreadie here, nothing would be uanting. As to horss provisions, your Lordship needs not doubt (as I formerly writt) but care uill [be] taken that they shall not uant. It’s treu ther uas uever greater scarcetie of stra, but neu grass uill soou suply that uant. Catboll is gon up the countrie to see your Strathpeffer rent shipped. I expect her down the river this nixt ueek. My uife gives your Lordship her humble duety. She and your tuo graudechilderen are, God be thanked, in good health.—I am, your Lordship’s most obedient sonn,

MACLEOD.”¹

Some notices of the bibliothec or library at New Tarbat occur in the letters. Norman Macleod, chamberlain to John second Earl of Cromartie, writing to his Lordship from New Tarbat, on the 27th of September 1717, says :—

“I am hopefull, now that your Lordship is married, as wee here, that you will winter yett att bonie New Tarbatt, where I am shour your Lordship will be much easier then in the hurie of the city, and certainly much cheaper. . . . I am afayrd the books vp in the biblithek will be much the worse. Ther has been no fyre ther since your Lordship went away. Inshculter took away the key with him, and told itt was your Lordship’s orders to him to keep itt, or send itt to your Lordship to Edinburgh. I hope dhuring the tyme I had it itt was as weell looked afftter as itt has been since, or ever shall [be], by any hand it comes too.”²

And again, writing from the same place, on 17th October 1717, he says :—

“I had the honour of your Lordship’s, daitted the fistt of this month, and did acquantt Doctor Georg M’Kenzy, who came here Mononday lastt, and saw all your Lordship’s books boxed vp, and took a nott of ther numbers as they were a boxing, with the demenshions, butt had no tyme to make ane exact cattologe, which, he said, would take hun ten or twelve days tyme att least. The nott he is to send your Lordship, per this postt, by which your Lordship will see the number of follios, quarttos, and octavos. I have sent ane express this day to

¹ Letter at Tarbat House.

² *Ibid.*

Inverness, being informed that ther's a Bruntiland boatt ther returning in a few days for Bruntiland; and if shee be nott hyred befor my express comes ther, I know he will preffer me to severall others, the skipper being my old acquaintance. I have all the boxes locked and closed vp this nightt, exceptt five, quhich wants covers, and never had any, exceptt shutters withoutt locks. I will have shutters made for them to-morow, and naill them, and then shall have each box sealed, according to your Lordship's order, to waitt the verie firstt occasione." ¹

The third Earl of Cromartie also resided at New Tarbat, as well as Castle Leod, till his forfeiture, in 1746, when his estates, including New Tarbat, became the property of the Crown. The mansion-house was not merely neglected; it was even dismantled of its principal ornaments. The fine trees were cut down, and sold at Leith for timber. Much of the ground within the policy was parcelled out in lots to disbanded soldiers and sailors, and the most elegant and best furnished house in the three counties was allowed to fall into ruins.²

Tarbat House could boast of a fair collection of family portraits from the time of Sir Rorie Mackenzie, the tutor of Kintail; and it appears from inventories of furniture that there were a number of other portraits, and also fancy paintings. At a sale of part of the furniture in the year 1752, the prices obtained for several of the pictures were somewhat arbitrary. A picture of cocks and rabbits brought £1, 10s.; another of a fool with a cabbage-stock sold for a guinea; while a portrait of King Henry the Eighth only realised 10s. 6d., or half the value of the fool and his cabbage, and only about a third of the value of the cocks and rabbits.

John Baillie, factor on the forfeited estate of Cromartie, writing to Mr. John Mackenzie of Meddat on 10th May 1750, says,—“All the repairs which the Barons have allow'd to be done is not much, which is no more than to keep the roof water-tight.” Again, on the 24th, he writes that the Barons had ordered him to repair the office-houses most commodious for holding the victual-rent of the estate, and keep the mansion-houses water-tight; and he asks his correspondent to keep them water-tight—that is, to keep and mend the roof and slates what is necessary; but there is no allowance for the windows but to secure them by the shutters. This was all he could do if he were on the spot; and he was to see what was absolutely necessary for keeping the mansion water-tight, and agree accordingly. Again, writing on 30th May of the same year, he says,—“By last

¹ Letter at Tarbat House.

² Original Statistical Account, Kilmuir Easter, vol. vi. pp. 186-7.

post I sent an excerpt of the Barons' order for keeping water-tight the mansion-houses, which is all I could get from them."¹

The sale of the wood is referred to in a letter from John Mackenzie of Meddat to the third Earl of Cromartie, on 3d October 1760, in these words,—“ Your Lordship wou'd hear that a great deall of the wood and planting about Newtarbat was ordered to be sold by publick roup, which was done the 26th September. Captain Forbes took care to preserve as much of the pollicie as he cou'd.”²

In the grounds around Tarbat House there are still many large trees, several of which are believed to have been planted by Sir Robert Innes during the short time that he held Milntoun after the Monros. A great beech-tree, near Tarbat House, was called *Queen Mary's tree*. It was upwards of a hundred feet in height, and it required a whole week to cut it down. So large was the tree that no force was equal to remove it, and it was left in the ground and buried where it grew. On the acquisition of the estates by John Lord Macleod, son of the third Earl, in the year 1784, his Lordship did much to restore the place to its ancient beauty and grandeur. He extended the policy, and planted many thousand trees. He pulled down the old house and built a mansion-house upon a modern plan. The house was completed by Lord Macleod's cousin and successor, Captain Kenneth Mackenzie of Cromartie. The mansion-house of Tarbat thus erected by Lord Macleod is still one of the principal residences of the Cromartie-Mackenzie estates, and the policies have been still further improved by succeeding owners.³

¹ Letter at Tarbat House.

² *Ibid.*

are now the property of Mr. Macleod of Cad-

³ The original baronies of Tarbat and Tarrell

boll, whose ancestor acquired them.

CASTLE LEOD AND STRATHPEFFER.

AS shown in the Memoir of Sir Rorie Mackenzie, the lands first acquired by him were those of Culteleod, which were granted to him by his father, Colin Mackenzie of Kintail, along with the lands of Glenskauyth, Kirkton of Fodderty, Ballyemwldie, the Wsies, Meikle and Little, all in the earldom of Ross and shire of Inverness. The charter by the Laird of Kintail is dated at Chanonry of Ross, 7th October 1585.¹

The oldest spelling of Culteleod is Contaneloyd, or Culchaloid. The lands of Contaneloyd and Dryne were originally part of the Earldom of Ross, and subsequently came into possession of the families of Mowat of Loseragy and Denowne of Davidstoun. On 27th May 1507, John Mowat of Loseragy granted to his brother, Alexander Mowat, and Isabella Leslie, his spouse, a charter of half of the lands of Easter Dryne and Contaneloyd, in the lordship of Ross. Culteleod and Dryne were acquired from the owners by John Mackenzie of Kintail. Sir Rorie Mackenzie also acquired the lands of Inchveandy and Ochterneid, and mill called Tympanmill, in the earldom of Ross and shire of Inverness, by a charter from his brother, Kenneth Mackenzie of Kintail, dated 23d April 1601. Sir Rorie also obtained from Colin Lord of Kintail, his nephew, the lands of Inchrorie, with the mill and mill lands thereof, and the davach lands of Davachnaclerich, and the shealing called Garbet, in the year 1619.

The lands thus acquired by Sir Rorie Mackenzie were successively inherited by his son, Sir John, and his grandson, Sir George Mackenzie, who obtained the whole of these and other lands, to be erected into the barony of Tarbat in the year 1678, as has been shown in the chapter on the Barony and Regality of Tarbat.

In the fourteenth century the lands of Inshrorie belonged to the family of Urquhart, sheriffs of Cromartie, who were styled Lords of Inshrorie. Adam of Urquhart, son of William of Urquhart, obtained from William Earl of Ross a charter of all the land of Incherury, in Ross, with its pertinents, Keddetolle and Seilutt, for homage and faithful service, and for paying one penny sterling, if asked, and giving three suits yearly at the three chief pleas of the granter's court at Kunardy. The charter is dated at Dingwall on the 30th of September 1338.²

¹ Cromartie Writs, Bundle xxi., No. 1, at Tarbat House.

² Charter, *supra*, pp. 317-9.

Shortly after, on the 18th of February 1348, Adam of Urquhart, Lord of Incherurie, and Sheriff of Cromartie, grants in alms-gift to God and St. Mary, and a chaplain to say mass in the chapel of St. Mary of Inshrorie for the souls of William Earl of Ross, and of his parents, and for the granter's own soul, and his parents' souls, and the souls of all the faithful dead, five merks of yearly rent from the lands of Inshrorie, with a croft of land called the Alehouse Croft, in the territory of Inshrorie, with a site in the town of Inchrone, for a sufficient manse to the chaplain, and pasturage for one horse, twelve cows and one bull, and four-score sheep on the lands of Inshrorie, and the right of having fuel from the woods of the granter. The charter bears date at Kilcaldrum, 18th February 1348, and was witnessed by Donald Abbot of New Fern and others.¹ The lands of Inshrorie and Dachnacleroch were excambied by Thomas Urquhart of Cromartie to Kenneth Mackenzie of Kintail, for the Kirklands of Cullicudden, lands of Little Ferne and others, by contract of excambion dated 28th March 1608.²

The chief residence of Sir Rorie Mackenzie was Culteleod, or Castle Leod, which has been already briefly described in the Memoir of Sir Rorie.

The situation of Castle Leod and its surroundings, with high hills and long stretching straths, is one of the most attractive in the Highlands. The castle itself is also a very fine specimen of the baronial mansion. It is built of red sandstone, and presents a very commanding appearance. In many parts of it the walls are from seven to eight feet thick, and the high baronial hall measures thirty-two feet by twenty-one feet, exclusive of the recesses. The fireplace at one end is upwards of ten feet long and five feet high, with stone seats at each side. On the ground floor, and literally on the ground, is the dungeon, with a strongly-chained oak door. In the sides of the walls the wood-sockets which held the chains for the prisoners are still to be seen. The cell is of small dimensions, and must have been very uncomfortable quarters when filled with prisoners. Two views of Castle Leod are given in this work, and also a drawing of a fragment of a stone there, showing the antlers of a stag grasped by a hand.

Castle Leod was a favourite residence of the Earls of Cromartie, and especially of the third Earl. Many of Lord Lovat's letters refer to his visits to Castle Leod, which always gave him pleasure; and the Earl of Cromartie, when in Devonshire, expressed his desire that he had rather been at the foot of Ben Wyvis than amid

¹ Charter, *supra*, pp. 319-320.

² Contract of excambion, Cromartie Writs, Bundle viii., No. 4, at Tarbat House.

the finest scenery in England. The scenery of the vale of Strathpeffer, in which Castle Leod stands, is too well known to need any description. The spa is a favourite resort for drinking the mineral waters in the summer season.

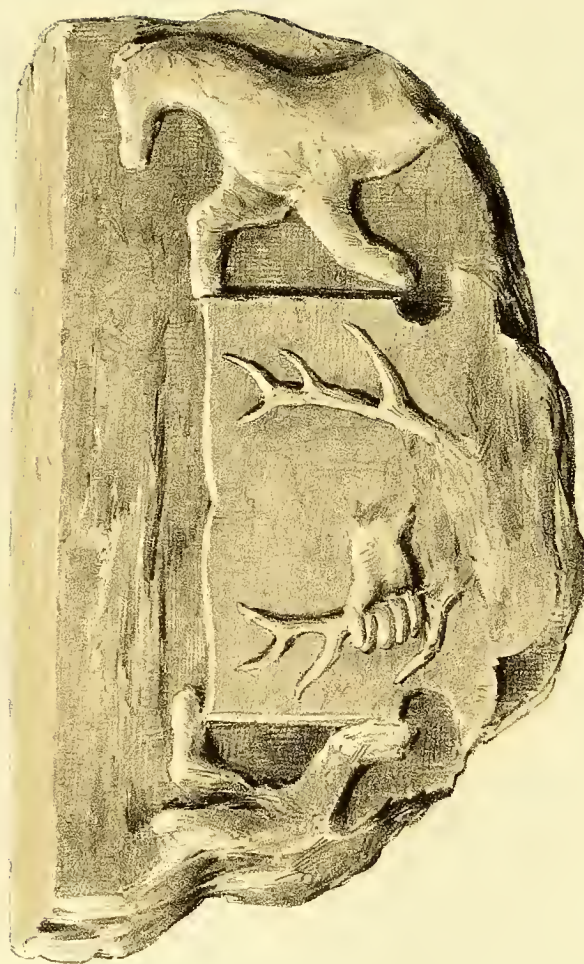
In the Confirmation of the Ecclesiastical Statutes regarding the cathedral church of Ross, given by Pope Alexander the Fourth, dated 11th June 1257, printed in this work, the teind-sheaves of Fodderty and Edirdore, except the teind-sheaves of a davach of Aleyn, are allotted to the Archdeanery of Ross; the teind-sheaves of Rosemarkie and Cromartie equally to the deanery, chantry, chancery, and treasury; the deanery has the teind-sheaves of Kilmuir South, except those of a half-davoch of Aleyn; the chancery has the teind-sheaves of Suddy and Kinettis. To the Bishop's prebend are allotted the teind-sheaves of the kirks of Nig and Tarbart; to the chantry the teind-sheaves of Kilmuir and Tharnedale.¹

Edirdore is supposed to be derived from *eadar dha mhuir*, between two seas, *i.e.* Loch Beaul and Cromartie Firth. The castle of Ethirdover, built by King William the Lion in his expedition to the North in 1179, has been identified with Redcastle in the parish of Edirdore, now called Killearnan.

In the parish of Fodderty, in which Castle Leod is situated, are many places and objects of interest. The mountain Ben Wyvis, or Ben Uaish, which rises to the height of 3426 feet, has never been known to be free of snow, though in the summer of 1826 it was nearly so.

Knock-Farril, a hill on the south side of the Strath, has at the top a well-marked specimen of a vitrified fort. The ruins on the top surround a space of an acre, and, like all such forts, it is seen from great distances and many points. Those of Craig-Phadric, near Inverness, and Dunskaith, on the northern Sutor of Cromartie, can be seen. These forts are supposed to have been heights for raising beacon-fires to warn the country of invaders. Sir George Stewart Mackenzie of Coul, in advocating this view, says, "There is a regular chain from Knock-Farril and Craig-Phadric along the great valley of Lochness to the west coast, and others are in sight towards the east, so on the appearance of an enemy on either side of the island the whole country, from coast to coast, could be informed, perhaps within the short space of an hour." And he supposes that Knock-Farril had been the beacon-post for the Castle of Dingwall, which formed the principal residence of the ancient Earls of Ross. To the south of Knock-Farril lies Loch Ussie, near which lived Kenneth Odhar (Oure), the well-known seer of the Mackenzies.

¹ Confirmation, *supra*, pp. 315-317.



FRAGMENT AT CASTLE LEOD



MONRO STONE NEAR CASTLE LEOD
STRATHPEFFER.

He pretended to the second sight, through the possession of a white stone, like a pearl. Before his death he threw this stone into Loch Ussie, foretelling that it would be found many years after, and that the finder would also have the second sight. He prophesied evil days for the Mackenzies of Kintail.

North of the burial-ground at Fodderty lies *Croicht-an-Teampuil*, or Temple Croft, in which several kist-vaens, or stone coffins, have been found, containing bones and ashes.

Half-way between Castle Leod and the Spa of Strathpeffer there is a stone with an eagle cut upon it, called *Clach an Tiompain*, which is said to mark the scene of a struggle between the Mackenzies and Monros. Tradition bears that the Lady of Seaforth was carried off from Kinellan by a party of the Monros, who were overtaken near Castle Leod by the Mackenzies, and defeated with great slaughter, and the Lady of Seaforth rescued. *Clach an Tiompain* was set up by the Monros over the remains of their clansmen. But the true account of this skirmish will be found in Lord Cromartie's history, *infra*, pp. 484-486. A drawing of the Monro stone is given in this work. Kenneth Oure is said to have prophesied that ships will yet be seen moored to this stone.

At the west end of Park, on a small eminence, are a number of standing stones, placed in a circle, from which two rows of similar stones run to the east, forming a rectangle. These are supposed to commemorate the battle of Blair-napark from the district where it was fought. This battle was fought towards the end of the fifteenth century, between the Mackenzies and the Macdonalds, headed by Gillespie, cousin of the Lord of the Isles. An account of that battle is given in Lord Cromartie's History of the Family of Mackenzie.

The Castle of Brahan, which has been for centuries one of the principal residences of the Seaforth Mackenzies, is situated in the parish of Fodderty.

THE BARONY OF COIGEACH, IN LOCHBROOM.

IN the Memoir of Sir Rorie Mackenzie of Coigeach, the history of Coigeach has been given in connection with the former owners, the Macleods of Lewis.

During the feuds about the Lewis, Coigeach and Lochbroom were plundered and laid waste by a raid of the Lewismen, led by Torquil Dubh, son of Rorie Macleod of the Lewis by his third wife. An account of it is given to King James the Sixth by Kenneth Mackenzie of Kintail, in the following letter :—

PLEASE YOUR MAJESTY,—Torquil Dow of the Lewis not contenting himself with the avouit misknowledging of your Heiness authority, wherebe he has violat the promises and compromit made before your Majesty, now lately the 25th day of December last, has ta'n upon him, being accompanied with 7 or 800 men, not only of his own, but ylands neist adjacent to him, to prosecute with fire and sword, by all kind of gud order, the hail bounds of the strath Coigach pertaining to M'Leod, his eldest brother, likewise my strath of Lochbroom ; quhilks straths, to your Majesty's great dishonour, but ony fear of God, ourselve, hurt and skaith, that he hath wasted with fire and sword in such barbarous and cruel manner that neither man, wife, bairn, horse, cattle, corns, nor bigging has been spared, but all barbarously slain, burnt, and destroyit, quhilk barbarity and cruelty, seeing he was not able to perform it but by the assistance and furdurance of his neighbouring ylesmen ; therefore beseeches your Majesty, by advice of Council, to find some sure remeid wherebe sick cruel tyranaue may be resistit in the beginning, otherway nothing is to be expectit for but dailie increasing of his malicious forces, to our utter ruin quha possesses your Majesty's obedience, the consideration quharof and inconveniences quhilk may therein ensue I remit to your Heighness guid cousideration. Of whom, taking my leif, with maist humble commendations of service, I commit your Majesty to the holy protection of God eternal, at the Canonry of Ross, the 3d day of January 1596.

Your Majesty's most humble and obedient subject,

KENNETH MACKENZIE of Kintail.¹

It was not till Sir Rorie Mackenzie became the owner of Coigeach in 1606 that the Islesmen were reduced to obedience, when raids, such as the one described in the above letter, ceased. The barony of Coigeach was given to Sir Rorie Mackenzie by Kenneth, Baron of Kintail, who acquired the barony from the ancient owner, Torquil Macleod of the Lewis.

The principal message of the barony was the town and manor-place of

¹ History of the Mackenzies, MS., by Dr. George Mackenzie, where the letter is transcribed, but not quite accurately.

Ullapool, then called Wllabill. Sasine was given to Sir Rorie Mackenzie upon the ground of the town and lands of Ullapool, as the principal messuage of the barony of Coigeach.

The barony is described in the Sasine as lying in the Earldom of Ross and sheriffdom of Inverness, and in the old descriptions of the barony of Coigeach, the tower, fortalice, and manor-place are also mentioned, without any particular name.

On the same day, Kenneth Mackenzie, Baron of Kintail, received sasine of the lands and baronies of Coigeach, Lewis, Watterness, and Assint at the same town and manor-place of Ullabill. In this sasine the manor-place of Ullabill is called the principal messuage of these baronies, and also the principal messuage in the barony of Coigeach. Torquil Macleod of the Lewis, and Margaret Neiu Angus MacAllister, his spouse, received at the same time sasine of the barony of Strathconan.¹ The barony of Coigeach was included in the barony of Tarbat at its erection, in 1678, in favour of Sir George Mackenzie of Tarbat.

In the district of Coigeach there are several "duns" which are supposed to have been at one time fortalices or places of defence, though nothing of them now remains but the foundations. One of these was situated in Western Coigeach, on the shore side, at the foot of the township of Polglas, which was formerly called Poll an Dùnain, after the "dun." The point next to Achillbui is also called after it Rudha 'n Dùnain. The site of the fort is of an oblong shape; the foundation is covered over with the debris of the building. A grassy loch behind it is connected with the sea by a little channel. No tradition is extant regarding this building. A second "dun" was situated on North Kenchillish, on a rocky eminence at the seaside, half a mile north-west of the farm-house. It is still named Doune Cann, and tradition bears that it was named after a Cann mac Rìgh Alba. From him also Strath Ceannard derives its name. There had been a large building here; and it is said that a good deal of the walls was shipped away to Stornoway and elsewhere as building material. A third dun was at Achmoltmory, near Langwall, in Strath Ceannard, situated on a rock, with a rocky gorge on either side. It had been a small place, but from its situation it must have been of great strength. Part of the walls still remains. There is no tradition bearing on it. There was another castle of defence in Loch

¹ Instruments of Sasine dated 1st January 1606, and recorded 3d February, same year.— Particular Register of Sasines for Inverness and Cromartie.

Achall in the glen of Rhidorach, of which the walls appear when the loch is very low in summer. There is a secret place still pointed out where the owner of the castle concealed his boat when he came ashore.

The district of Coigeach is one of four into which the extensive parish of Lochbroom is divided. These are the Aird, or height of Coigeach, Lochbroom proper, the Little Strath, and the Laigh. There is a great extent of coast, and the appearance of the coast from the sea is magnificent. Along the coast of the Atlantic the shore is bold and rocky. The principal mountains in Coigeach are Stac, Cumhill-Mhor, and Big Rock. In it are the fine valleys of Strathceannard and Rhidorach, the former watered by the water of Ceannard, and the latter by the finely wooded lake of Achall and the river of Ceannchruinn or Ullapool. The hills were formerly well stocked with game, but the introduction of extensive sheep-farming has rendered it less abundant. Salmon are found plentifully in the rivers, and the fishery on the coast occupies a good number of the inhabitants. The polar lights are often visible with grand and brilliant effect.

Among the men of merit connected with Coigeach and Lochbroom was Murdoch M^cLeod, or in Gaelic, Murcha M^cIain 'I^cUilliam, a poet of considerable merit. He was bred to the Episcopal Church, but never took orders, nor obtained a church. He was related to the best families in Coigeach and Assint. His poems are of a religious turn. A better known poet was Norman M^cLeod, or Tormaid Bàn, the author of many well-known poems in the Gaelic tongue. One of his sons became minister of Rogart, in Sutherland, and another a professor in the University of Glasgow. His most popular production is the well-known song of Caberféidh, in celebration of the Mackenzies, which is included in Mackenzie's Collection of Beauties of Gaelic Poetry.

THE BARONY AND CASTLE OF CROMARTIE.

THE first Earl of Cromartie made considerable additions to his patrimonial inheritance as well as to the castles. One of his principal territorial acquisitions was the Barony of Cromartie, situated in the parish and county of Cromartie. The earliest name of the county is Crumbathyn or Crumbathy. It was from the name of this estate and county that Lord Cromartie took his title when he was created an Earl in 1703.

It was in the year 1684 that Lord Tarbat purchased Cromartie from Jonathan Urquhart, the last laird of that name, and he had a Great Seal Charter of it, dated 29th April 1685. Lord Tarbat obtained, on 16th June 1685, an Act of Parliament ratifying the judicial sale by the Lords of Session. The Act narrates that the King had granted a signature on 29th April 1685, ordaining a charter to be granted to Lord Tarbat and his heirs, of the castle, tower, fortalice, and manor-place of Cromartie, and several lands described in the rights of Sir John Urquhart of Cromartie, and Jonathan Urquhart, his son; and also the constabulary and constable office and fee of the castle of Cromartie, the superiority of the town of Cromartie, salmon-fishings, ferry-boats, and harbour of Cromartie, with the heritable office of sheriffship of the shire of Cromartie, and heritable office of bailiary within the bounds of the lands, with power of appointing courts and clerks, with the patronage of the kirk of Cromartie, and school thereof. The whole lands are thereby disjoined from all other Earldoms, etc., and are united into the BARONY OF CROMARTIE, and the castle thereof is appointed to be the principal messuage.¹

Macbeth first appears in history as Thane of Cromartie, or, as it was called in his time, Crumbathy. Wyntoun, in his Chronicle, narrates Macbeth's dream that he was first Thane of Crumbathy, then Thane of Moray, and then King of Scotland. After he had successively held the two Thaneships, according to the dream, Macbeth took steps to insure that the dream as to his royalty should succeed also. Wyntoun's account is :—

A nycht he thowcht in hys dremyng,
Dat syttand he wes besyd þe Kyng
At a Sete in hwntyng; swá
Intil his Leisch had Grewhundys twá.

¹ Acts of Parliament, vol. viii. p. 513.

He thowcht, qahile he wes swá syttand,
 He sawe thre wemen by gangand ;
 And þai wemen þan thowcht he
 Thre werd Systrys mást lyk to be.
 De fyrst he hard say gangand by,
 "Lo, yhondyr þe Thayne of Crwmbauchty !"
 De toyir woman sayd agayne,
 "Of Morave yhondyre I se þe Thayne."
 De thryd þan sayd, "I se þe Kyng."
 All þis he herd in hys dremyng.¹

The Castle of Cromartie may have been occupied by Macbeth as his official residence as thane of the district. The Castle was certainly of great antiquity, and it has been described by a native of Cromartie in a very graphic manner. He writes :—

"Directly behind the site of the old town [of Cromartie] the ground rises abruptly from the level to the height of nearly a hundred feet, after which it forms a kind of tableland of considerable extent, and then sweeps gently to the top of the hill. A deep ravine, with a little stream running through it, intersects the rising ground at nearly right angles with the front it presents to the houses ; and on the eastern angle, towering over the ravine on the one side and the edge of the bank on the other, stood the old Castle of Cromarty. It was a massy, timeworn building, rising in some places to the height of six storeys, battlemented at the top, and roofed with grey stone. One immense turret jutted out from the corner which occupied the extreme point of the angle ; and looking down from an altitude of at least 160 feet on the little stream and the straggling row of trees which sprung up at its edge, commanded both sides of the declivity and the town below. Other turrets of smaller size, but pierced like the larger one with rows of little circular apertures, which, in the earlier ages, had given egress to the formidable bolt, and in the more recent, when the crossbow was thrown aside for the petronel, to the still more formidable bullet, were placed by pairs on the several projections that stood out from the main body of the building, and were connected by hanging bartizans. There is a tradition that sometime in the seventeenth century, a party of Highlanders, engaged in some predatory enterprise, approached so near the Castle on this side, that their leader, when in the act of raising his arm to direct their march, was shot at from one of the turrets and killed, and that the party, wrapping up the body in their plaids, carried it away.

"The front of the castle opened to the lawn, from which it was divided by a dry moat, nearly filled with rubbish, and a high wall indented with embrasures, and pierced by an arched gateway. Within was a small court flagged with stone, and bounded on one of the sides by a projection from the main building, bartizaned and turreted like all the others, but only

¹ Wyntoun's Chronicle, vol. i. p. 225.

[illegible]

three storeys in height, and so completely fallen into decay that the roof and all the floors had disappeared. From the level of the court a flight of stone steps led to the vaults below ; another flight of greater breadth, and bordered on both sides by an antique balustrade, ascended to the entrance ; and the architect, aware of the importance of this part of the building, had so contrived it that a full score of loopholes in the several turrets and outjets which commanded the court, opened directly on the landing-place. Round the entrance itself there jutted a broad, grotesquely-proportioned moulding, somewhat resembling an old-fashioned picture frame, and directly over it there was a square tablet of dark blue stone, bearing in high relief the arms of the old proprietors ; but the storms of at least five centuries had defaced all the nicer strokes of the chisel, and the lady with her palm and dagger, the boars' heads and the greyhounds were transformed into so many attenuated spectres of their former selves—no inappropriate emblem of the altered fortunes of the house. The windows, small and narrow, and barred with iron, were thinly sprinkled over the front ; and from the lintel of each there rose a triangular cap of stone, fretted at the edges, and terminating at the top in two knobs fashioned into the rude semblance of thistles. Initials and dates of the thirteenth and fourteenth centuries were inscribed in raised characters on these triangular tablets. The aspect of the whole pile was one of extreme antiquity. Flocks of crows and jays that had built their nests in the recesses of the huge tusked cornices which ran along the bartizans, wheeled ceaselessly around the gables and the turrets, awakening with their clamorous cries the echoes of the roof. The walls, grey and weather-stained, were tapestried in some places with sheets of ivy, and an ash-sapling, which had struck its roots into the crevices of the outer wall, rose like a banner over the half-dilapidated gateway.”¹

One of the earliest known charters of lands in Cromartie was granted by William de Monte Alto to David of Denoon, of a davach of Fernenes, in the tenelement of Cromarty, in exchange for the land of Kyppen, and of two mark-lands of Denoun. The charter, like many of the early charters, is without date ; but from the attesting witnesses, it is ascertained that it must have been granted between the years 1252-1272. It is in the following terms :—

OMNIBUS hoc scriptum visuris vel audituris, Willelmus de Monte Alto, salutem in Domino : Nouerit vniuersitas vestra me dedisse, concessisse, et hac presenti carta mea confirmasse David de Dononen illam dauatam terre de Fernenes que iacet inter alias dauatas de Fernenes, in teneamento de Crumhauthiu ; scilicet, in escambium pro terra de Kyppen quam pater meus dicto David dedit pro homagio et seruicio suo, et in escambium duarum marcarum terre in terra de Dononen ; quas quidem duas marcas terre idem David tenuit de fratre suo ; ita videlicet, quod illa dauata terre de Fernenes que iacet propinquior castro de Crumbauthin, excepta quedam alia dauata terre de Fernenes, remanehit dicto David et heredibus suis : Tenendam et habendam de me et heredibus meis sibi et heredibus suis in feodo et hereditate, in pratis, pascuis, et pasturis, in moris, maresiis, et molendinis, in siluis et in aquis, in fountibus et in aqueductis

¹ Scenes and Legends of the North of Scotland, by Hugh Miller, pp. 129-131.

sive ducendis, cum omnibus aliis aysiamendis et iustis pertinenciis suis, et libertatibus que ad dictam dauatam terre poterit pertinere, per suas rectas diuisas, libere, quiete, pacifice, plenarie et honorifice ab omnibus auxiliis, consuetudinibus, exactionibus, et demandis secularibus: Reddendo ipse et heredes sui, mihi et heredibus meis, duas marcas argenti per annum, scilicet, vnam marcā ad Pentecosten, et vnam marcā ad festum Sancti Martini in yeme, et faciendo forinsecum seruicium domini regis quantum pertinet ad illam dauatam terre. Et si forte contingat, quod absit, quod ego vel heredes mei dictam dauatam terre de Fernenes, cum pertinenciis, dicto Dauid uel heredibus suis warantizare non poterimus, ego uero et heredes mei dicto Dauid et heredibus suis, infra quadraginta dies, sine more dispendio, per visum proborum hominum de tanta terra quantum dicta dauata terre de Ferneues tunc valebit, sine cautela uel cauillatione aliqua, in loco competenti ad plenum prouidebimus. Et [vt] hec mea donacio et concessio rata et inconcussa in perpetuum permaneat, huic scripto sigillum meum apposui; hiis testibus, domino Roberto episcopo de Ross, domino Willelmo comite de Ross, domino Willelmo Francisco, domino Willelmo filio Augustini, domino Johanne vicario de Innernes, Galfrido Sures, burgense de Innernes, Malcolmo clerico, et multis aliis.¹

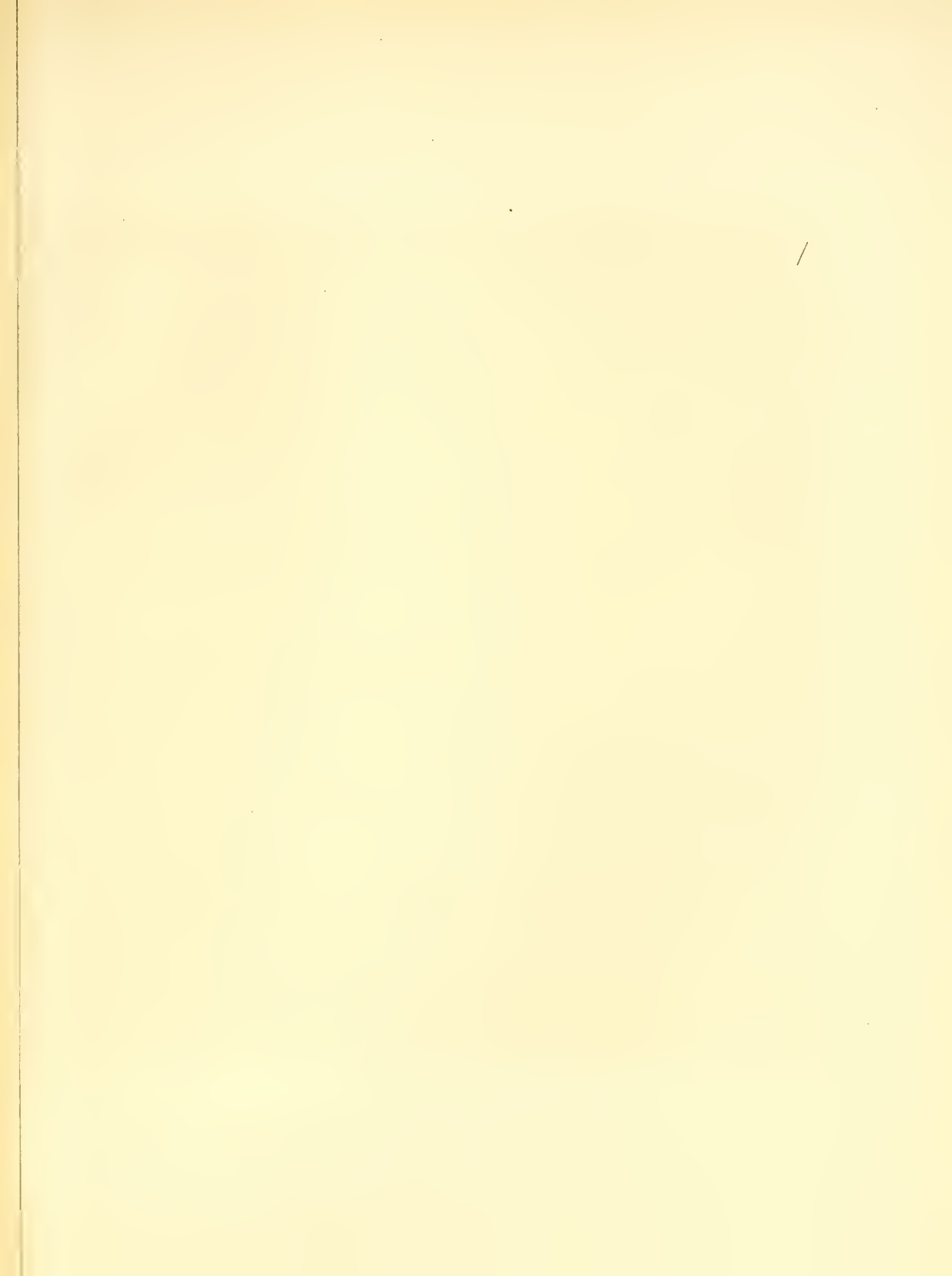
The granter of that charter having been owner of Cromartie, was claimed by Sir Thomas Urquhart as one of his Urquhart ancestors, but with no better authority than the earlier ancestors claimed by Sir Thomas. William de Monte Alto was one of an Anglo-Norman family who came to Scotland in the twelfth century, and the name of Monte Alto was gradually changed to Mowat, in the same way as the name of Montefixo became changed to Mushet.

In the regulations made by King Edward the First for the government of Scotland in 1304, "Mounsieur William de Mohant" is stated as the "Viscount de fee" of Crombathyn, or heritable Sheriff of Cromarty.

The next charter of Cromartie shows that it belonged to King Robert the Bruce. He granted a charter to Sir Hugh of Ross, son and heir of William Earl of Ross, of the county and burgh of Cromartie. The charter is dated at Arbroath, 5th December 1315. It is in the following terms:—

ROBERTUS Dei gratia Rex Scottorum, omnibus probis hominibus tocius terre sue, salutem. Sciatis uos dedisse, concessisse et hac presenti carta nostra confirmasse Hugoni de Ross militi, filio et heredi Willelmi comitis de Ross, dilecto et fideli nostro, pro homagio et seruicio suo, totum uicecomitatum et burgum de Crumbathy, per omnes rectas metas et diuisas suas. Tenendum et habendum dicto Hugoni et heredibus suis de nobis et heredibus nostris, libere, quiete, plenarie et pacifice; cum omnibus liberetenentibus, burgensibus, libertatibus, comoditatibus, aysiamendis et singulis aliis pertinenciis, tam infra burgum quam extra, ad dictum vicecomi-

¹ Original Charter *apud* Robert Haldaue, Esq., W.S., as agent for the late Mr. W. Stevenson.



Robertus Dei gratia Rex Scottorum Omnibus probis hominibus
carta nostra confirmasse Hugoni de Ross archidiacono p[re]b[ite]o & cl[er]ico
Sincio suo totum vicecomitatum de burgum de Crumbe
de Hugoni et heredibus suis de nob[is] et heredibus nostris
liberis lib[er]t[at]ib[us] comoditatib[us] sustinendis et singulis aliis
statutis seu burgum spectantibus seu aliquo tempore de
seu nob[is] et heredibus nostris p[re]sentem ducem quantum ad
seculari. salva nob[is] custodia que dicitur aristatona
apud. T[er]tib[us]. Bernardo abbe de B[ur]go
de l[et]ch et Hugone de Cr[um]be contrib[us] apud

comis de sue salutem scdm nos dedisse, concessisse et haec presentia
Gilli Comitis de Ross et alio et fidei ad p homagio et
p omes terras nras et dimissas suas. Tenend et habend
libere, quiete, plenarie et pacifice cum omibz libertatibus. Bingen
alios pertinentias etiam infra regnum qm ext ad dem viccomit
re spectare valentibz. faciendo inde deus Hugo et heredes
ad eam etiam pntes p omi alio dno exactione seu demanda
sa cum suis et hereditariis pntis ante regnu nrm pceptu
Cancellano nro, Alexandro, Senescalli Gulpho de Haya, et alio
Bn tip quito die Decembris, Anno regni nri Decimo.

tatum seu hurgum spectantibus seu aliquo tempore de iure spectare valentibus. Faciendo inde dictus Hugo et heredes sui nohis et heredibus nostris forinsecum seruicium quantum ad dictam terram pertinet, pro omni alio seruicio, exactione seu demanda seculari. Salua nohis custuma que dicitur Malatouta: In cuius rei testimonium, presenti carte sigillum nostrum precepimus apponi. Testibus—Bernardo, abbate de Abirbrothoc, cancellario nostro, Alexandro Senescalli, Gilherto de Haya, Roherto de Keth et Hugone de Erth, militibus. Apud Abirbrothoc, quinto die Decembris, anno regni nostri decimo.¹

The following is a translation of the charter :—

Rohert, hy the grace of God King of Scots, to all good men of his whole land, greeting : Know ye that we have given, granted, and hy this our present charter confirmed, to our beloved and faithful Hugh of Ross, knight, son and heir of William Earl of Ross, for his homage and service, the whole sherifdom and hurgh of Crumbathy, by all their right hounds and divisions : To he held and to he had by the said Hugh and his heirs, of us and our heirs, freely, quietly, fully, and peacefully, with all free tenants, burgesses, liberties, commodities, easements, and all other pertinents, as well within the burgh as without, belonging, or that may at any time rightfully helong, to the said sherifdom or burgh : The said Hugh and his heirs performing for the same to us and our heirs the forinsec service pertaining to the said land, for all other service, exaction, or secular demand : Reserving to ourselves the custom which is called Malatout. In witness whereof we have commanded our seal to be affixed to the present charter. Witnesses—Bernard, Abbot of Abirbrothoc, our chancellor, Alexander Steward, Gilhert de Hay, Robert de Keth, and Hugh of Erth, knights. At Ahirbrothoc, the fifth day of December, in the tenth year of our reign.

On the above charter, the editor of the National Manuscripts of Scotland, in which work it is printed,² observes that it is “not so remarkable for the extent of territory granted, although that includes the whole little county of Cromarty, as for the unconstitutional gift of a free royal burgh: interposing a subject superior between the sovereign and those whom he was specially bound to protect in all their franchises. The great Prince made a similar unconstitutional grant to his nephew Randolph, of all the burghs within his vast territorial earldom of Moray,—Inverness, Elgin, Forres, and Nairn. Such things passed unchallenged under the successful and popular King. It was in the reign of his unworthy successor, David II., that the Parliament of Scotland declared such grants unconstitutional, and prohibited them.”

In the succeeding reign of King David Bruce the lands and burgh of Cromartie were granted for the first time to Adam of Urquhart, with whose

¹ Original Charter belonging to Colonel Ross of Cromarty.

² Part ii. No. XXI. The Charter is there quoted as at Kilravock.

descendants Cromartie continued till the middle of the seventeenth century, when, becoming embarrassed, the Urquharts were obliged to sell the estate.

There is an early charter granted by William Earl of Ross and Lord of Skye to Adam of Wrchard, son of William of Wrchard, of the lands of Brehe or Brae. It bears to be granted for the service done and to be done to the Earl, and was to be held of him in blench farm for payment yearly of a pair of white gloves. The charter is dated at Dingwall the 6th of January 1349. It is in the following terms :—

OMNIBUS hanc cartam visuris vel audituris Willelmus comes de Rosse, dominus de Sky, eternam in domino salutem. Noueritis vniuersi nos dedisse, concessisse et hac presenti carta nostra confirmasse Adamo de Wrchard filio quondam Willelmi de Wrchard, pro fidei seruicio suo nobis impenso et impendendo, totam dauatam terre nostre de Brebe cum pertinentiis : Tenendam et babendam dicto Adamo et heredibus suis de nobis et heredibus nostris in perpetuum, in feodo et hereditate, per omnes metas suas et rectas diuisas, in boscis et planis, moris et marescis, aquis et staguis, pratis, pascuis et pasturis, et viis, et semitis, viuariis et piscariis, aucupacionibus et venacionibus, hominibus, legiis et natiuis eiusdem, cum molendinis et bracinis, curiis, placitis et querelis, ac cum omnibus aliis commoditatibus, libertatibus et asiamentis, ad predictam dauatam terre de Brehe nunc spectantibus vel aliquo tempore in futurum spectare valentibus, tam non nominatis quam nominatis, libere, quiete, plenarie et honorifice : Reddendo inde annuatim nobis et heredibus nostris ipse Adam et heredes sui vnum par cerotecarum albarum, nomine albe firme, ad festum Pentecostes, sine aliqua alia solucione, exactione, seruicio seculari seu demanda inde faciendis, que per nos vel heredes nostros de predicta dauata terre de Brehe exigi poterunt vel demandari quoquo modo. Et faciendo domino nostro Regi seruicium inde debitum et consuetum. Nos vero Willelmus comes de Rosse autedictus et heredes nostri preuominatam dauacam terre de Brehe cum omnibus pertinentiis suis, vt predictum est, prefato Adamo de Wrchard et heredibus suis contra omnes homines et feminas warantizabimus, acquietabimus et perpetualiter defendemus. In cuius rei testimonium sigillum nostrum autenticum presenti carte nostre fecimus apponi. Apud Dyngevalle, sexto die Jauuarii, anno Domini m^{mo} ccc^{mo} quadragesimo nono : Coram hiis testibus, veneratione patre in Christo domino Rogero Dei gratia Episcopo Rossensi, Fratre Donaldo eadem gratia Abbate Noue Farine, dompno Roberto priore Belli Locⁱ,¹ Hugone de Rosse fratre nostro, Jobanne de Haya, consanguineo nostro, Roberto de Munro, Willelmo de Morauia, Willelmo de Clyne, Willelmo Marescallo, teuentibus nostris, et multis aliis.²

Another early notice of the lands of Bray occurs in a notarial instrument, certifying that on the 9th day of January 1437, there appeared, in presence of the notary public and other witnesses, a noble man, Walter of Innes, knight, Lord of that Ilk, and delivered to be read and transumed a certain letter of our Lord the King, being a charter by David King of Scots, under the Great Seal, confirming a

¹ Beaully.

² Original Charter belonging to Colonel Ross of Cromarty.

Omnes hanc cartam visurus vel audientibus Valtinus Comes de Basso
passisse a suo pater carta sua signasse. Deo de Basso filio gaudi
natum tempore nro de Basso in pomenus. Tenenda et habend
et p omnes metas suas a rectis dimisus in bosas et planis. quos et quosque
piscis et aucupatus et venditis. hanc legem et natus eiusdem in gaudiis et
catis et disamentis ad pater dandam tempore de Basso in pater
lito quibus plenarie a concessis. Reddendo nro annuatim nob et pater
firmo ad festu pomenus. Omne aliqua alia solucione et exactione
de pater dandam tempore de Basso exigi potuit vel dandam quibus
Nos Valtinus Comes de Basso antedictus et hanc nro pater dandam
de Basso et hanc suis totis omnes hanc et feminas dandam
tunc pater nro fecit apponit. Apud Basso. sexu de
videtur pater in xpo dno Basso de Basso Basso. pater
Gugonius de Basso pater nro. pater de Basso pater nro. Basso
ad tenentibus nro et agulis. alio

[illegible]

gift made by William Earl of Ross to Alexander of Saint Clair, son of the late Thomas of Saint Clair, of the whole davach of land of Bray within the marsh of Fernewyre, in the sheriffdom of Inverness, to be held as freely as the charter of the Earl to the said Alexander made thereupon proports. Saving the King's service. Confirmation dated at Dundee, 1st November, forty-first year of the King's reign. Instrument taken at the Cathedral church of Elgyne. Witnesses,—James Stewart, Dean of Moray, etc. Certified by William Brynneth, Presbyter of Moray, notary public.¹

An inquest was held at "Cromathy" on the 18th November 1475, before John Legat, Sheriff-depute of "Cromathi" in that part, by John Monroy of Foulis, and other persons of inquest, finding that William Wrchard, late Sheriff of Cromathy, died last vest and seised in the barony of Cromathy and of the Mot Hyll and the Sheriffship thereof, and that Master Alexander Wrchart was his lawful and nearest heir in these lands and office, and was of lawful age; and that the lands were valued at forty-two merks, and were held of the King in chief for the service of ward and relief, and were then in the King's hands, by reason of the rightful heir not having prosecuted his right from the death of the said William Wrchard, who died on the 8th September of that year.²

John Earl of Ross and Lord of the Isles gave a precept to John Monró of Fowlis, and David of Dunnown, for infesting Mr. Alexander Wrchart, son of the deceased William Wrchart, knight, Sheriff of Crommati, of good memory, as his heir, through decease of William Urchart, his late brother, Lord of Crommati last deceased, in all and sundry his lands lying in his Earldom of Ross, within the Sheriffdom of Inverness, the said Mr. Alexander being of lawful age. The lands to be held of the Earl in chief. Given at Ila, the last day of October 1475.³

Besides being owners of Cromartie, the Urquharts were for centuries the hereditary sheriffs of the shire. During their possession, the family produced several eminent members. The most remarkable man in the family was Sir Thomas Urquhart, a great genealogical genius, who traced his descent, with great gravity, from Adam and Noah, through a long line of illustrious ancestors. Sir Thomas was possessed of a very lively imagination, and he drew largely on the credulity of his countrymen.

The Kalendar of Fearn has an entry of a melancholy occurrence in the castle

¹ Original Instrument belonging to Colonel Ross of Cromarty.

² Original Service *ibidem*.

³ *Ibidem*.

of Cromartie :—" *Jan.* 1643.—Heu Ross of Tollie, with tua of his seruandis, died suddenlie in ane chamber in the Castell of Cromartie, and was bureit at Ferne the secund of February the said year." It was in the year 1772 that the old Castle of Cromartie was taken down by Mr. George Ross, soon after his acquisition of the barony.

On a bank to the east of Cromartie House there are the ruins of a place of worship, called Saint Regulus' Chapel, which is supposed to have been the family chapel of the Urquharts.

Under the Grandvale and Cromartie branch it has been shown that Lord Tarbat put Sir Kenneth Mackenzie, who was his second surviving son, into possession of the Barony of Cromartie, and the fate of the ancient Castle and the subsequent history of the barony are there stated. Captain William Urquhart of Meldrum had a Crown Charter of resignation and adjudication of the lands in the year 1750. They were sold to Patrick Lord Elibank in the year 1763, and were acquired from him by George Ross of Pitkerrie, Esquire, a gentleman of great talent and energy of character, who had amassed a large fortune in England as an army agent. He owed his first advancement to Lord Mansfield; and is alluded to in no friendly terms in the celebrated letters of Junius as "George Ross the Scotch agent." He got a disposition of the lands and barony of Cromartie from Lord Elibank and others, dated the 18th April 1772. Mr. George Ross greatly improved the estate of Cromartie. He was succeeded by his nephew, Mr. Alexander Ross. From him the estate has come to be inherited by the present owner, Colonel Ross.

The burgh of Cromartie was a burgh royal. In the year 1661 it was erected of new into a burgh royal. But the inhabitants finding themselves burdened with the proportion of tax laid on them for their privileges and trade, which came to £6 Scots a month, petitioned the King and Parliament to receive a demission of their privileges as a burgh royal. By Act of Parliament, dated 10th July 1672, the town was expunged from the list of Burghs Royal, and ordained to have no commissioner to the Estates or Convention of Royal Burghs.

THE BARONY AND MANSION OF ROYSTON,
NOW CAROLINE PARK,

IN THE PARISH OF CRAMOND AND COUNTY OF EDINBURGH.

WHEN attending to his Parliamentary and official duties at Edinburgh, Lord Tarbat's residence was the mansion-house of Royston, now called Caroline Park. It is situated in the east side of the parish of Cramond, and the grounds form part of the southern boundary of the Firth of Forth, of which, from the mansion and the gardens, very commanding and beautiful views are obtained.

In the fourteenth century, the lands of Granton belonged to the family of Melville, who, as owners of Melville, were amongst the earliest settlers in the county of Edinburgh. On 26th November 1379, John de Maluil, Lord of Maluil, granted to John de Maluil, son of John de Maluil of Carnebie, his lands of Grantoun by their right marches, together with other lands, for which he was to render homage and fealty, suits at his Court at Melville, etc. Among the services which the grantee had to render were two men-at-arms, one with horse and hauberk, and the other with horse without hauberk. The charter is granted at the manor-place of Meluil.¹

The family of Melville appear to have possessed the whole lands of Granton. These came afterwards to be divided into Easter and Wester Granton. The latter was retained by the Melvilles till the year 1592, when Sir John Melville, younger of East Carnbee, sold Wester Granton to Mr. John Russell.

Three hundred years before Granton had become the great harbour that it now is, it was selected by the Lord High Admiral of England, in 1544, as the principal station for the armament of King Henry VIII. of England, which was sent with the land forces under the command of the Earl of Hertford to take vengeance on the Scotch for their refusal to consent to the matrimonial alliance between Prince Edward of England and Queen Mary, then a child of two years. Granton House, or Granton Crag as it was called, was also the headquarters of

¹ Original Charter, Granton Writs *penes* Duke of Buccleuch.

the English forces before they took possession of Leith, and the whole district suffered severely by the ravages of the invaders.

In the sixteenth century, Easter Grantoun, then called Royston, belonged to Andrew Logan, of the family of Logan of Restalrig. He sold the lands of Easter Grantoun to Walter Henryson, Writer to the Signet, in the year 1601. His son, also named Walter Henryson, assigned the lands in wadset for £1333, 6s. 8d. to David Johnskin, merchant in Edinburgh. James Johnskin, his second son, acquired the lands in the year 1652, in consequence of Thomas Henryson having refused to enter heir to his father, Walter Henryson. James Johnskin held the lands only for seven years, having sold them in 1659 to Patrick Nicoll, merchant in Edinburgh. Two years afterwards, on 15th June 1661, Patrick Nicoll obtained a charter from King Charles the Second, erecting Easter Grantoun into a BARONY, to be called ROYSTON. Patrick Nicoll settled, in 1669, the barony on his only daughter Margaret and her husband George Graham, younger of Inchbrakie, to whom she was married on 16th March 1665.

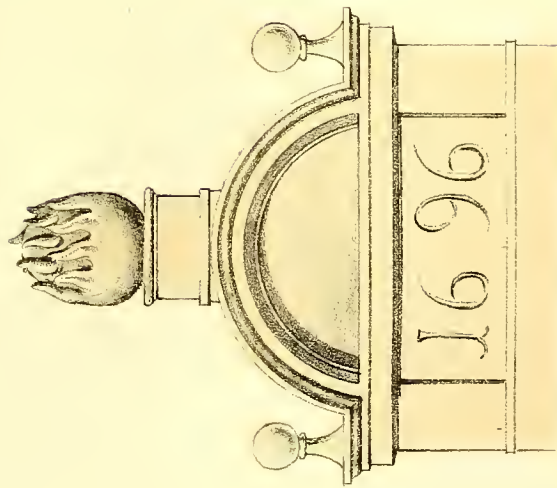
Mr. and Mrs. Graham sold the barony, along with a piece of ground called the Golden Acres, in the adjoining parish of Saint Cuthbert's, in 1683, to Lord Tarbat, at the price of £2111, 2s. 2d.; and, on 16th June 1685, he obtained an Act of Parliament ratifying his right to the lands and barony of Royston.¹

In the course of two years after his purchase, Lord Tarbat built the mansion of Royston, having the principal entrance on the north side. The pillars of a handsome gate, leading to this north entrance, still stand a short way to the north, and near the margin of the Firth. About ten years later, in 1696, he made large additions to the south front, on which his name, and that of his first wife, as Viscount and Viscountess of Tarbat, in large bold letters, still remain in very legible characters. The house was then the most extensive mansion in the district, and one of the largest in the three Lothians. The edifice forms an oblong, enclosing a court measuring one hundred and seventeen feet in length on the east and west sides, which are irregularly built. The south court is ninety feet long, and is the most ornamental part of the mansion, the general appearance being similar to that of the Tuileries of Paris. The ceilings of the drawing-rooms on the west side of the house are adorned with paintings in good taste, and the initials of Lord Tarbat and his first wife are placed in several parts of the ceiling.

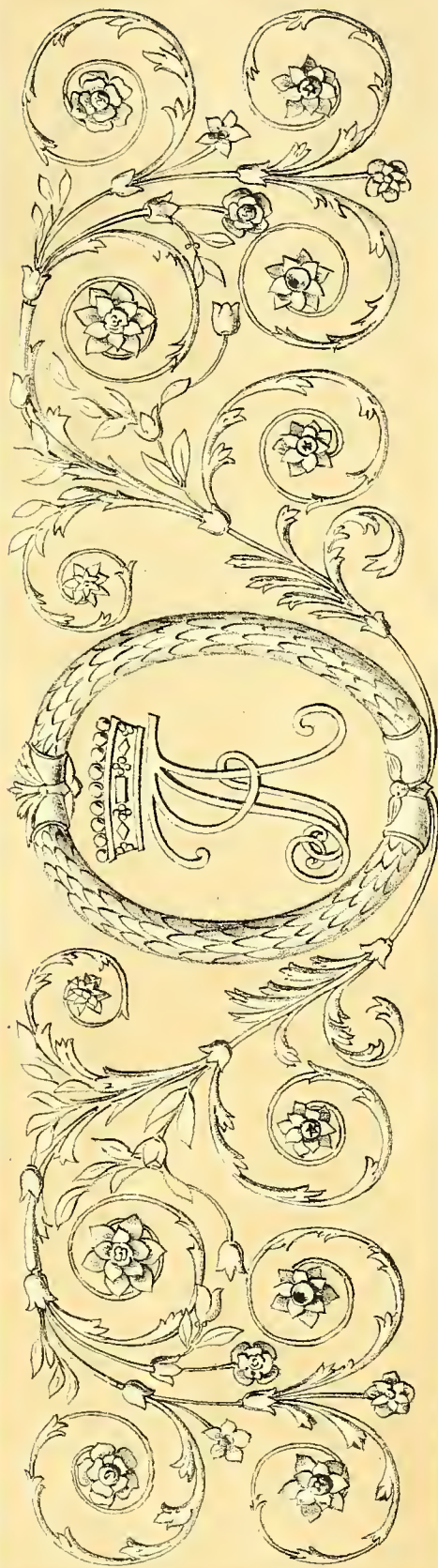
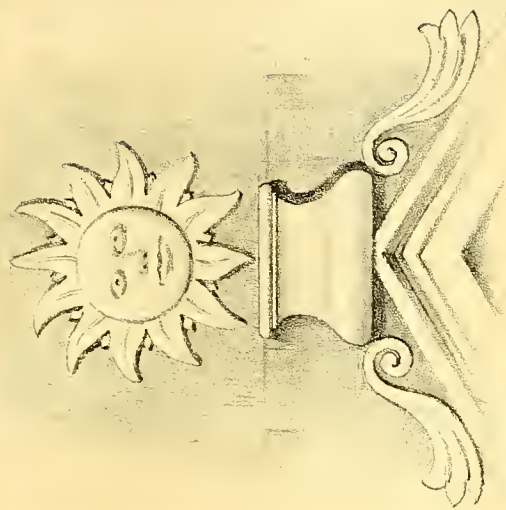
¹ Acts of Parliament, vol. viii. p. 511.



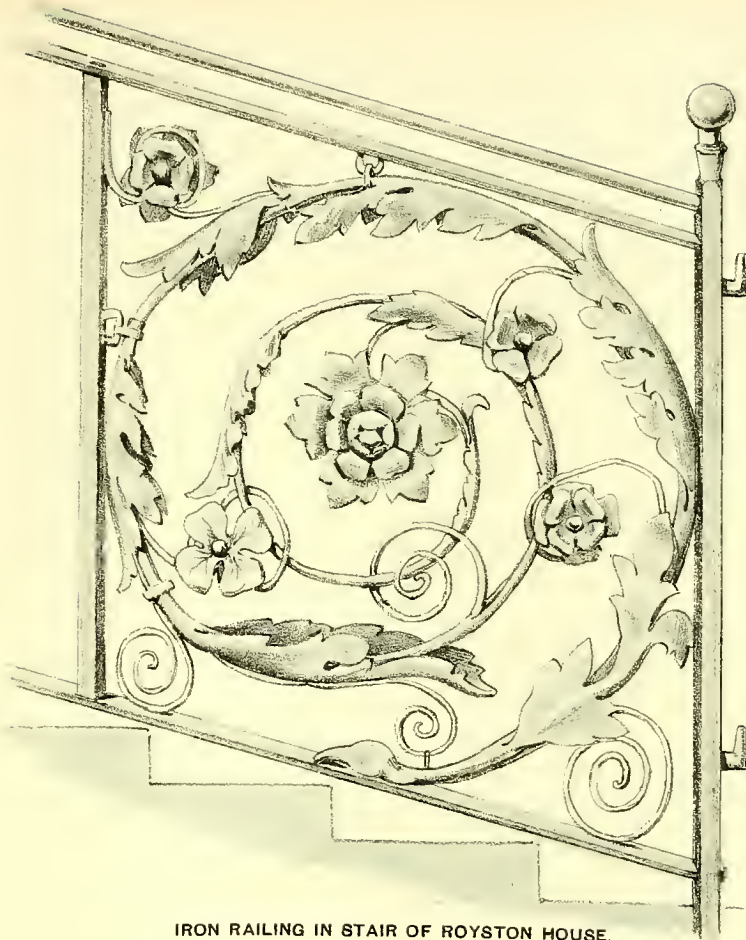
ROYSTON HOUSE, NOW CAROLINE PARK.



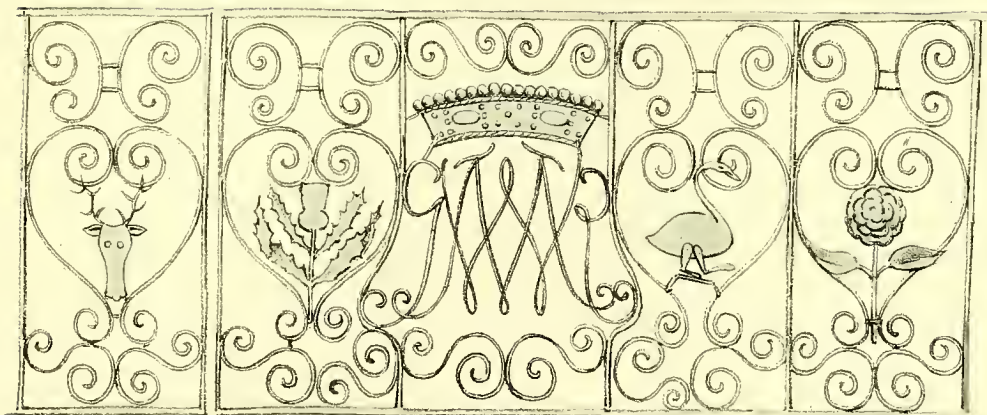
MACLEOD AND MACKENZIE CRESTS—SOUTH FRONT OF ROYSTON HOUSE.



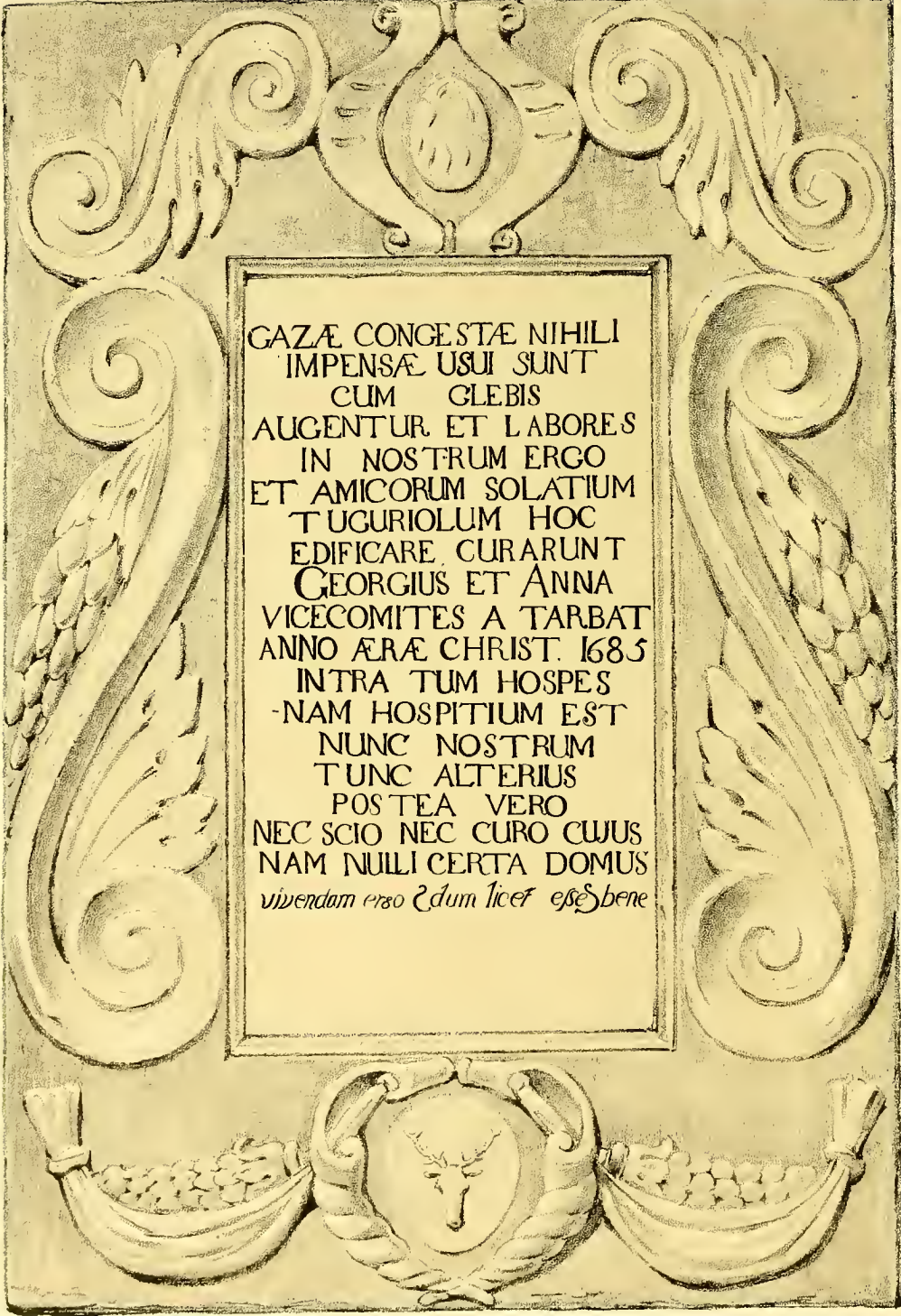
MONOGRAM OF GEORGE & ANNE, VISCOUNT AND VISCOUNTESS TARBAT, ON CEILING OF DRAWING ROOM—ROYSTON HOUSE.



IRON RAILING IN STAIR OF ROYSTON HOUSE.



MONOGRAM OF GEORGE, VISCOUNT TARBAT, AND MARGARET, COUNTESS OF WEMYSS, ABOVE SOUTH DOOR—ROYSTON HOUSE.



GAZÆ CONGESTÆ NIHILI
IMPENSÆ USUI SUNT
CUM GLEBIS
AUGENTUR ET LABORES
IN NOSTRUM ERGO
ET AMICORUM SOLATIUM
TUGURIOLUM HOC
EDIFICARE CURARUNT
GEORGIUS ET ANNA
VICECOMITES A TARBAT
ANNO ERÆ CHRIST. 1685
INTRA TUM HOSPE
-NAM HOSPITIUM EST
NUNC NOSTRUM
TUNC ALTERIUS
POSTEA VERO
NEC SCIO NEC CURO CUIUS
NAM NULLI CERTA DOMUS
vivendam ergo & dum licet esse bene

The time of the building of Royston by Lord Tarbat is shown on the north and south fronts. Above the north entrance door there is placed a stone bearing the following inscription :—

GAZE CONGESTÆ NIHILI
IMPENSÆ USUI SUNT
CUM GLEBIS
AUGENTUR ET LABORES
IN NOSTRUM ERGO
ET AMICORUM SOLATIUM
TUGURIOLUM HOC
EDIFICARE CURARUNT
GEORGIUS ET ANNA
VICECOMITES A TARBAT
ANNO ÆRÆ CHRIST: 1685,
INTRA TUM HOSPES
NAM HOSPITIUM EST
NUNC NOSTRUM
TUNC ALTERIUS
POSTEA VERO
NEC SCIO, NEC CURO CUJUS
NAM NULLI CERTA DOMUS
VIVENDUM ERGO (DUM LICET ESSE) BENE.

The original draft of the inscription is among the Cromartie Papers. It is holograph of Lord Tarbat, and written on the fly-leaf of a letter addressed "For Mr. William Denune, minister of Pencaitland." It is added here to show the variation between it and the inscription as finally engraved on the stone.

Gaze congestæ nihili impensæ usui sunt
Si glebas et labores accumulassem
Tuguriolum ideo hanc
In suum et amicorum solatium
Ædificare curarunt
Georgius et Anna vicecomes et vicecomitissa de Tarbat
Anno Æræ Christianæ 1685.
Intrate tum nam hospitium est

Tunc nostrum, nunc alterius,
 Post mortem nec scimus nec curamus ejus
 Nam nulli certa domus
 Vivendum ergo (dum licet esse) bene.

The original inscription may be thus translated :—

Riches unemployed are of no use ; but made to circulate, they are productive of much good. Increase of property is accompanied by a corresponding increase of care. Wherefore for their own comfort, and that of their friends, George and Ann, Viscount and Viscountess Tarbat, have caused this small cottage to be built, in the year of the Christian era 1685. Enter then, O guest, for this is a house of entertainment ; now it is ours ; soon it will be another's ; after our death, whose we neither know nor care ; for none has a certain dwelling-place : Therefore let us live well, while we may.

There is a tradition that when Lord Tarbat had finished the building of his mansion, he called it Kingstown, as a piece of vanity, and that the then Viscount of Kingstoun complained of the name as a usurpation of his title. The name was then changed to Royston, the first syllable of which in French signifies king ; but this tradition has no foundation in fact. The original name was Easter Grantoun, or the east half of the barony of Grantoun, the west half of which barony bounds with the other half. The east half of the barony of Grantoun was erected into the separate barony of Royston in 1661, as already stated, several years before Lord Tarbat purchased it.

After Lord Cromartie ceased to be Secretary of State in the reign of Queen Anne, and when his attendance was not so much required in Edinburgh, he formed the plan of selling Royston to Government as a permanent residence for the Lord Chancellor. In his correspondence with the Earl of Mar, then Secretary of State, as to the sale, Lord Cromartie stated that the building of Royston had cost him upwards of £6000.¹

Lord Cromartie explains the advantage of having Royston as an official residence for the Lord Chancellor. He says, "One evil in our government now is, that the Lord Chancellor, being the first wheel in the ministry, and by whose absence the government is oftymes at a stand, and at best must move unequally—their haveing the convenience of a convenient house, gardens, and parks, and some rent at the door, in the seat of the government, with excellent healthfull situation, takes away pretence of going to his country, tho' perhaps at a distance, or rather will invite the succeeding chancellors to stay more fixtly at the helm."²

¹ Letter, vol. i. p. 307.

² Letter, vol. i. p. 304.

Although that scheme was frequently urged by Lord Cromartie on Lord Mar while he was Secretary, it was never carried out.

After an experience of a few years of Royston as a residence, Lord Tarbat felt annoyed by the trespassers on his grounds from the footpath along the seaside. For remedying this he obtained, on 13th May 1685, an Act of the Scottish Parliament for changing the highway. The Act narrates a petition which had been presented by Lord Tarbat mentioning that there is a bridge on the water of Cramond for the better passage of travellers betwixt Edinburgh, Leith, and the Queensferry, yet divers persons do not make use thereof, but come in a private way by the seaside, which being at first only for the private use of the heritors of Royston, leads directly in by the gate of Royston House, whereby he is injured in the destruction and cutting of his planting and breaking of his gardens and enclosures. The gate is no public highway, nor at all fit for carts, coaches, nor carriages, and scarcely for a single horse to ride. A Committee of Parliament was appointed to inspect the way, with power to stop it at such places as they think expedient.¹

By an entail, dated 28th November 1688, Lord Tarbat provided the barony of Royston to his third surviving son, James Mackenzie, afterwards Lord Royston, and the heirs-male of his body; whom failing, to the second and eldest sons of Lord Tarbat and the heirs-male of their bodies; whom failing, to the heirs-male of the body of the granter.

On the marriage of Lord Tarbat with the Countess of Wemyss, an arrangement was made with his son James Mackenzie, whereby the Countess was provided in the liferent of Royston, and the heirs-male of their marriage in fee; whom failing, to the heirs specified in an excambion between Lord Tarbat and his son James.² On the death of Lord Cromartie in 1714, without issue by the Countess of Wemyss, Lord Royston inherited the barony, and enjoyed it till the year 1739, when he obtained an Act of Parliament to enable him to sell it. The Act proceeded on the narrative that it was necessary to sell the barony in order to pay the debts affecting it. John second Duke of Argyll and Greenwich purchased the barony for about £7000.³ The Duke built the addition to the north-west of

¹ Acts of Parliament, vol. viii. p. 473.

² Cromartie Writs, Bundle 2 Z, No. 439.

³ In a lawsuit at the instance of Sir George Mackenzie of Cromartie, nephew of Lord Royston, against the representatives of Lord

Royston, it was held they were bound to account to the heirs of entail for the price of the barony, which price is still held under the entail of Lord Cromartie of 1688.

the principal mansion for his establishment of servants, horses, carriages, etc. His Grace also ornamented several of the rooms in the south side of the mansion with heraldic bearings of the Argyll family, and also landscape views of Edinburgh, as it was in his day. One of these views represents the North Loch below the Castle of Edinburgh as a large sheet of water, of which there is now no trace on the spot; and the site of the New Town of Edinburgh is represented by a farmhouse and fertile fields. That picture of Old Edinburgh has been lately transferred to Dalkeith House. The Duke of Argyll changed the name of Royston to Caroline Park, in memory of the Queen of King George the Second, to whom, while Princess of Wales, his second Duchess, Jane Warburton, was a maid of honour.

The Duke of Argyll died at Sudbrooke, in Surrey, on the 4th of October 1743, in the 65th year of his age, and the barony was inherited by his eldest daughter Lady Caroline Campbell, who married Francis Earl of Dalkeith, and their descendant, the Duke of Buccleuch and Queensberry, is now the owner of Caroline Park, as well as of Wester Grantoun, which is divided from Easter Grantoun by a small rivulet. Wester Grantoun was formerly the property of Sir Thomas Hope, Lord Advocate to King Charles the First. Grantoun House was the residence of Sir Thomas when he dreamed and interpreted his dreams in the remarkable manner detailed in his *Journal or Diary*, which was printed for the Bannatyne Club. The House is now a picturesque ruin, situated on the summit of a rocky height on the shore, commanding fine views of the Firth. Wester Grantoun was also purchased by John Duke of Argyll from the owner, who acquired it from the successors of Sir Thomas Hope. Easter and Wester Grantoun are now included under the general name of Caroline Park.

On a part of the barony of Royston the Duke of Buccleuch has formed the Harbour of Grantoun at a vast expense. It is a splendid and capacious Harbour, and a great public benefit.¹

¹ After the death of the Duke of Argyll, in 1763, till 1780, the mansion-house of Caroline Park was occupied by Sir James Adolphus Oughton, K.B., Deputy Commander-in-chief of the Forces in Scotland. Having mastered the Gaelic language, he became a zealous asserter of the authenticity of the poems of Ossian, and in honour of that bard had the following inscription placed on a "Gray

Stone" in the rivulet near Royston House, but no trace of that stone now remains:—

M. S.

Ossian

P. P. D.

Celt. Celeber.

J. A. O.

P.

Besides his several mansion-houses in the country, Lord Tarbat had a town house in the city of Edinburgh. In the year 1686, he purchased from Thomas Robertson, one of the magistrates of Edinburgh, for 18,000 merks, the third story of the great buildings then recently erected from the Parliament Close at the north to the outmost of the south side, comprehending three rooms which look to the Parliament Close, with thirteen other rooms, and two cellars under the Parliament Close.¹

In the year 1701, Lord Tarbat was owner of another tenement, which was situated in the "Land Mercat" of Edinburgh.²

After his marriage with the Countess of Wemyss, Lord Tarbat provided her ladyship in his Edinburgh house, which is described as that upper lodging in the back-land on the south-side of the "Land Mercat," in MacMorran's Close, as then possessed by the Viscount and his Countess, and cellars and vaults belonging thereto; and also a fore-tenement of land in the south-side of the High Street.³

¹ Contract of Sale, 5th January 1686.—[Cromartie Writs, Bundle 2 D, No. 196.]

² Notarial Instrument, 11th February 1701.—[*Ibid.* No. 197.]

³ Disposition, 28th March 1702.—[*Ibid.* No. 198.]

ANNEXATION OF THE BARONY OF TARBAT AND THE VISCOUNT
OF TARBAT'S OTHER LANDS IN ROSS-SHIRE TO THE SHIRE
OF CROMARTIE IN 1685 AND 1690.

THE old shire of Cromartie appears to have been erected at a very early period of history. The office of sheriff was long hereditary in the family of Urquhart of Cromartie. In the Regulations for the Government of Scotland by King Edward the First in 1304, the Sherifdom of Cromartie is mentioned in these terms :—"De Crembathyn—Mounsieur William de Mohant, qui est de fee viscut." That is, "of Cromartie—Master William of Mohant, who is sheriff of fee," or heritable sheriff. Mr. Nimmo says the name here is much disfigured by successive transcribers, but it could be discovered that the Urquharts of Cromartie had a separate jurisdiction here at that date, and he therefore translates Mohant as Urquhart. But he was probably not aware that Mowat was owner of a part at least of Cromartie in the thirteenth century, and that William Mowat, and not William Urquhart, was the sheriff. The office of sheriff of the shire, as well as the ownership of the burgh of Cromartie, was, as already stated, granted by King Robert the Bruce to Hugh Ross, son of William Earl of Ross, in the year 1315.

The original shire was a very small district, and comprehended,—1st, the whole parish of Cromartie; 2d, The parish of Kirkmichael, with the exception of the farms of Easter Balblair, and perhaps Kirkmichael (which form a tract of nearly one mile in length and half a mile in breadth, on the point of land at Invergordon Ferry), which is considered a part of Ross; and 3d, The farm of Easter St. Martin's, in the parish of Cullicudden.

The shire was thus a tract of about ten miles long, and an average breadth of one and three-quarter miles. The area therefore was only seventeen and a half square miles, being the smallest county in Scotland. It was enlarged to its present dimensions by the annexations which were made to it by the first Earl of Cromartie while Viscount Tarbat. By these annexations the shire of Cromartie has now a territory fifteen times its former extent; but these annexations consist of many detached parts. In all bills relating to roads, bridges, etc., it has been found necessary to include all these annexations in Ross-shire.¹

¹ Third Report of the Commissioners for Highland Roads and Bridges, Appendix U.

An Act of Parliament was passed in favour of George Viscount of Tarbat on the 4th of June 1685, disjoining the barony of Tarbat, Little Farnes, and his other lands in the barony of Delny, with the lands of Wester St. Martin's, Easter Belblair, and the ferry belonging to George Dallace of St. Martin's, from the sheriffdom of Ross, and annexing them to the sheriffdom of Cromartie, and appointing the burgh of Cromartie to be the head burgh of the shire.¹ In the same session of Parliament Lord Tarbat got a ratification of the offices of constable of the castle of Cromartie, of sheriff and bailie of the shire, with the patronage of the kirk and school of Cromartie.² In the next session of Parliament, however, on the 14th of June 1686, an Act was passed rescinding the above Act, and redintegrating the sheriffdom of Ross, and declaring the bounds thereof to continue as they were established in 1661.³ But on the 19th of July 1690, an Act was passed in Parliament, in favour of the Viscount of Tarbat, reannexing the barony of Tarbat, and his other lands in Ross, to the sheriffdom of Cromartie. The sheriffdoms of Ross and Cromartie remained distinct till they were united by the Jurisdiction Act of 1748. The Act of Reannexation is in the following terms:—

ACT in favour of the VISCOUNT OF TARBAT, annexing the Barony of Tarbat to the Shire of Cromartie. 19th July 1690.

Oure Sovereign Lord and Lady, the King and Queen's Maesties, considering that by Act of Parliament in anno 1685, the barony of Tarbat, and severall other lands in Rosshire, were dissolved from it, and annexed to the shire of Cromartie, but in the year 1686 the said Act of Annexatione was rescinded, on pretence that it included lands not belonging to the Viscount of Tarbat, in whose favours the annexatione to Cromarty was made; and now the said Viscount, desiring that only the said barony of Tarbat, and other lands in Rosshire which belong to him in property, and are presently possess by him or by his mother and mother-in-law in liferent, and by some woodsetters of his property, should be annexed to the shire of Cromartie, their Majesties, in favours of the said Viscount and his successors, doe, with consent of the Three Estates now convened in Parliament, Rescind the said Act past in anno 1686, and of new annexes the said baronie of Tarbat, and all other lands in Rosshire belonging in property to the said Viscount, possess as said is, to the shire of Cromartie in all time coming,

¹ Acts of Parliament, vol. viii. p. 484. On the same date an Act was passed disjoining Sir George Mackenzie of Rosehaugh's lands of Pittonarchie, Benechfield, etc., from the

shire of Ross, and annexing them to Cromartie, p. 485.

² Acts of Parliament, 1685, cap. 72, vol. viii. p. 513.

³ *Ibid.* p. 602.

and to all effects, and as to any other lands contained in that Act 1685 not being of the barony of Tarbat, and not being his own proper lands and possess in manner forsaide, they are to remaine in the shire of Ross as formerly, notwithstanding of this or any other Act past in the year 1685, but prejudice of the said Viscount his other jurisdictions in these lands, as accords.¹

A succinct account of the annexations is given in a paper contributed by Mr. Alexander Nimmo, rector of the Academy of Inverness, to the Third Report of the Commissioners for Highland Roads and Bridges.

I. The annexations in the Black Isle are :—

In Cullicudden parish—

1. The farms of Cullicudden, Craighouse, and Torburchurn, on the Cromartie Firth.
2. The farms of Brea, Woodhead, and Easter Culbo, situated towards the Mulbuie.

In Rosemarkie parish—

- Two small patches, known as “The mortified lands of the town of Fortrose,” having been bequeathed to the burgh for behoof of their poor. The extent is not more than forty or fifty acres.

II. The annexations in Easter Ross :—

In Tarbat parish—

1. The barony of Easter Aird and Easter Tarbat, comprehending all the peninsula east of the parish church, excepting the small farm of Hilltoun.
2. The barony of Meikle Tarrell, on the eastern shore.

In the parishes of Fearn and Tain—

1. The estate of Cadboll (with Mid Geanies), on the eastern shore.
2. The estate of Loch Slyne, on the northern shore.
3. The farms of Ballacherie, Plaids, and Hilltoun (*alias* Skardy), and the mills of ditto, all in the neighbourhood of Tain.
4. Probably some part of the Morrich Mor, an undivided common on the shore between Tain and Tarbat.

In Logie and Kilmuir parishes, on the south coast of the peninsula—

1. The estate of New Tarbat.
2. Priesthill, in Kilmuir.

¹ Acts of Parliament, vol. ix. p. 194.

In Kincardine parish, on the river Carron—

1. The farm of Duny.
2. The farm of Amatnatua.
3. The farm of Greenyards, uncertain.

III. The annexations in Wester Ross and on the west coast :—

In Fodderty parish, near Dingwall—

1. The barony of Castle Leod or Strathpeffer, including nearly the whole of the valley of Strathpeffer, with great part of the mountain Ben Wyvis, about twenty-two square miles.
2. The mill of Ousie (between Dingwall and Conan Bridge).
3. The water of Conan, viz., the salmon-fishing on that river.

IV. Annexations in the parish of Lochbroom :—

1. The district of Coigeach, including the isles of Tannera, Rustol, Isle Martin, and all the Summer Isles. The town of Ullapool is situated in this district ; extent about one hundred and sixty square miles.
2. Ach ta Skailt, on the south shore of Little Loch Broom.
3. The farm of Meikle Gruinard, and one-third of the Isle Gruinard.
4. Ach'n-ivie, a shealing on the water of Shallag.
5. Fannich and Nied, a sheep-farm on the north shore of Loch Fannich.
6. Tollimuic, a small farm at the head of Strathvaich.

The whole of these annexed parts come under the jurisdiction of the Sheriff of Ross, he being Sheriff of Ross and Cromartie. These offices were united by the Jurisdiction Act of 1748.

In the bills for raising the militia, the districts in Rosemarkie, Fearn and Tain, Kincardine and Lochbroom parishes fall to Ross-shire ; while not only the parts annexed in Cullicudden, Tarbat, and Fodderty parishes, but the whole parishes in which they are situated, are included in Cromarty. The annexations in Logie and Kilmuir parishes are curious in this respect. The estate of New Tarbat, being chiefly in Logie, falls to Ross-shire ; while the small spot of Priesthill, as it includes the church, brings the whole parish of Kilmuir into Cromartie,—the Militia Acts enacting that every parish shall be considered as belonging to the shire in which the parish church is situated.¹

¹ Third Report of the Commissioners for Highland Roads and Bridges, 6th August 1807, Appendix U. No. 6, head iv., is stated in Sir George S. Mackenzie's Survey of Ross and Cromartie, p. 18.

[See vol. i, p. ⁶⁶xii]

HISTORY OF THE FAMILY OF MACKENZIE.

BY SIR GEORGE MACKENZIE, FIRST EARL OF CROMARTIE.

SIR—I had not delayed so long to have sent ane short accountt of the genealogie of our family if I had not bein sollicitous of exact truth, that tho we cannot compett with some others in fabled antiquitie and romantick acctiones we might appeir yett without fals vernishes, and so burdin neather our owin consciences nor other men's beleiff with vntruthes and lyes. Most of our antient families place the fountaines beyond record, that we most tack them on report, as we doe that of Nile, which, as it cannot be impugned, neather doth it import whither it wer so or not. All are come of Noah; and if antiquitie wer sufficient to import worth any who is suirelie come of him is come of the oldest and greatest since the flood. But opinion hath placed respect on thes particular stems who have bein of any contanance in greatnes, and blots out of its matriculationes the greatest when poverty clouds them. Should any of Cezar's or Alexander's successors be now searched for, it's probable enough they might be found drudges to the successors of thier meanest slaves. I doe not wreit this to bring any tash on noble progenies, but to ewince that it is not to be overvalued nor to tack place of personall qualitie, which makes men more truly glorious. On thing is to be confest by all, that since we observe qualities to rune much in a blood and lycknes to be consequent of relation, it is advantagious to be discerned [descended] of good and great predicecessors.

The origine of our familie, or rather its transplantation to Scotland, is not so farr of, *ut caput inter nubila condat*, for tradition, and evident doe joine to a point with very litle variatione in that account. Traditione informs that our first wes a sonne of the Earle of Kildar's, who came to Scotland in King Alexander the 3d's tyme, when the Danes invaded Scotland, and that our first appeirance wes at the famous battell of Largs, in which Acho the Norvegian receaved a notable defeat in the yeir 1263, when Colline Gerald, sone, say they, to the Earl of Kildar, asisting the Scots, acted so valiently that he wes still thereafter justly respected by King Alexander, and imployed to goe with Alexander and Walter Stewart, and the Earl of March and Argyle, to reduce the north west Illes, and by Walter left to comand the fort then built at Kintail, in a convenient situatione, for supprying the adjacent Illes and Highlands, from whence the fort haid its name of the Ille Dantan. The lands of Kintail wer at that tyme posest for the most part by MacMahon, and the rest by the family of Obeoland. This MacMahon,

which comonly is Englished Mathesones, and descended of the Vrsines or Fitzursils, and wer of the antient iuhabitants of Irlaud. He had an ouly daughter, who married to this Colin, comandir of the fort, brought to him and his successors that heritadge of Kintaill which belonged to the MacMahon; this our tradition nevir doubted nor contraverted, but evir held as a true accountt, from generation to generatioue. All the differance I find in this from what I sould conclud as truth, is, that this Coline Gerald wes not a sone [of the] Earl of Kildar (for ther wes no Earl of Kildar till the yeir 1290, when John Fitz Thomas, *alias* Gerald, baron of Offaly, on the discord twixt him and the Cheif Justice William _____, wes received Earle by King of England): bot that he wes of the cheiff family of the Geraldts is not to be doubted, in respect that his comeing to Scotland wes notticed, for I fiud in ane old fragment that I have of the manuscript of Icolmkill, wher they, speaking of the notable persones who fought at the battell of Largs with the Stewart and the Cummin, they mentione Walter Stewart, the Earl of Carrick and March, the Thawe of Argyle, Robert de Loudon, Joannes de Strivelin, Walter Comiu, Thomas Malliver, peregrinus and Hibernus ex familia Geraldinorum qui anno precedenti Hibernia pulsus apud regiam benigne acceptus et hucusque in carta [curia] permansit, hoc in prelio strenue pugnabit. And afterwards in the expedition made after that battell for reduceing the Illes, vnder the conduct of Walter Stewart, wher the said fragment speaks of the persones who accompanied him, they mention Gerald, with this note, De quo supra in prelio ad Largis, qui postea fortiter se gessit contra Iusulauos et inter eos in presidium relictus. Now this agries with the traditione, only that the Earl of Kildar being since the cheiff of that family the tradition hath assumed that tittle, but it would appeir that this Gerald wes sonne to Johne Fitz Thomas, who, in the first record, is stiled Lord Johne, and cheiff then of the family of Geraldts, who, by the malice and invy of Sir Richard Bocheil, *alias* Capell, wes slaue, and the who[le] family of the Geraldts persecutt, Lord Morrine his eldest sone slaine, and the rest of his childrein _____ Lord Johne to England, when afterwards he wes restored to the barronie of Offaly, and then created Earl of Kildar. This abuse and injury (for so all English and Irish records charectir it) fell out anno 1261. The comeing of this Gerald to Scotland, as the word [record] of Icolmkill says, wes *anno precedenti*, speaking of the battell of Largs, which wes anno 1263. So he had come to Scotland auno 1262, and anno 1263 asisted at Largs, afterwards accompanied Walter Stewart to the Illes, and as the record of Icolmkill and our indoubted tradition agries, wes ther left in _____, to suppress the tumultuary Highlanders and Ilanders ther newly reduced. Wher marieing the daughter and heritrix of MacMahon, he

acquirit right to the greatest part of Kintail. How he acquired the rest is not related, or if it wes by the right of his wyfe that he obtained Kintail is only asserted by traditione, and albeit it be probable is not apparent in wreitt, for the chartour by King Alexander to this Colin deduces no such title. It is of dait three yeires after the battell of Largis. Since it is short I sall heir give you its full copy.

“Alexander Dei gratia rex Scotorum, omnibus probis hominibus totius terre sue clericis et laicis, salutem. Sciant presentes et futuri me pro fidei servitio mihi navato per Colinum Hibernum, tam in bello quam in pace, ideo dedisse et hac presenti carta mea concessisse dicto Colino et ejus successoribus totas terras de Kintail : Tenendas de nobis et successoribus nostris in liberam barroniam, cum guardia : Reddendo servitium forinsecum et fidelitatem. Testibus, Andrea episcopo Moraviensi, Waltero Stewart, Hendry de Balloch camerario, Ardnoldo de Campania, Thoma Hostiario vicecomite de Invernes. Apud Kincardin, ix die Januarii anno regni domini Regis xvi.”

And it wold appeir that the King haid some way satisfied the Obeolands for what possessione they haid in Kintail, since this chartour contienes totas terras de Kintail, and indeid befor this a litle Ferquhar Obeoland wes receaved Earl of Ros.

This Kincardin appears to be Kincardin on Dee, for it is vndoubted by inform[ation] that this Coline, waiting on King Alexander about this time in the forrest of Marr, in the begining of _____, at which tyme the harts bell, on of them runeing furiously at the King had put him in danger, had not [he] prevented it by killing the hart with ane arrow in the forehead : for which cause the King conferred it on him in armory to cary a deare's head puissant wounded in ane asur feild, which is corrupted by turneing the wound to a starr, and the blood to a tusk. What the actiones of this Coline wer therafter we find not mentioned, for thes remoter actiones are seldome recordit, vnless they be of very singular concerne ; but, howevir, it appears he served his Prince to good vse in that remote Government, since we find no stirring in the Islandirs dureing this King's reigne ; but, on the contrar, Buchanan insinuat that ther mynds wer drawin from the Norvegians, and ther inclinationes of obedience to the Scots, which cannot but leave a good charecter on a persone who haid such authority neir to them as this Coline haid. His father-in-law retained possession of Lochelsh dureing lyfe, and Coline acclaimed it after his death ; and whillist he wes tacking possession of it he was killed by the neirest of kin of MacMahone, who tooek possession of Lochelsh to themselves. He wes killed besyd the loch of Auchnaunich, at a place called to this day Glack Chaillin.

The nixt who succedit to Coline Hibernus or Geraldus, in Kintail, wes his sonne Kenneth, so named after his grandfather on the mother's syde, Kenneth McMahone.

Aither the constabulary of the fort hath bein conferred heritably on his father, or els the succeeding kings have found his successors fitt to serve them in that charge, since we find no change. He married Morvha, daughter to McCoull of Lorne, and by hir haid Kenneth, who succeeded to him, and wes named according to the custome of the antient Scots, McKenneth, after his father, the people binding the patronimick on him from Kenneth, his father, rather thene from Coline, the grandfather, from ther respect to Kenneth McMahone, ther antient maister, so that all that come from this Kenneth retained the patronimick McKenneth, and, euphonie causa, pronounced McKenzie, more consonant also to Irish pronounciatione. It is most probable that this second Kenneth not only sidit with Robert Bruce in his contest with the Cumins, but that this wes on of those that sheltred him in his lurking, and assisted him in his restitutione, for, in the Illes, sayes Boetius, he haid suply from a freind ; and yet Donald of the Illes, who then comandit them, wes on the Cumin syde, and raised the Illes to ther asistance, and wes beat at Deir by Edward Bruce anno 1308. The Earl of Argyle, Alexander, wes also with the Coumins' party, and wer taicken by King Robert, and anno 1309 ; and McCoull of Lorne, being Cumine, Earl of Athole's sister's sone, did fight against the Bruce at Kildrummy, and tooek him prisoner, who, being intrusted to McCoull's foster brother, the Bruce vnlosed the broch, and so slipt the mantle, wherby his keiper detained him, which broach McCoull helt to this day, so that upon examinatione we will find none any way considerable at that tyme to have aither sheltred or asisted the Bruce as this Kenneth, whos not being mentioned in the rest of southern battells I impute to two causes, first, the great ignorance of our wreiters without the verge of the shyres neir adjacent to ther abode, wherby all the northern actors are fallen in oblivion, tho it is most certaine that they wer the great defenders of the kingdome, as they wer the first acquirers of it.

The nixt is, that all the bordering countries being enimies to the Bruce, viz., the Earl of Ros, William , did unworthily apprehend his Queen at St. Duthas, now called Tayne, and delyvered hir to the English, anno 1305. Donald of the Illes and on Rolholand, I conjectir it should [be] Ranald, with all ther heritores hebred against him, and wes beat at Deir. The Earl of Argyle wes enimie, and therfor Alexander the Earl wes apprehendit by him and his country subdued, anno 1304, so that the Bruce freinds in the Highlands of Ros could not be of so great use to him any wher as in that midst of thes enimies. Amongst so many and so great enimies, it wes a great victory to Kenneth not to be overcome, nor his fort tackin from him, which he keiped, bot with great disadvantage, for at this tyme, as we have by traditione, begane the wasting of Kintail

by the Earles of Ross and Donald of the Illes, which feud continued (tho the publick state of the kingdome settled) for severall generationes ; but many of his people being kild, and possessiones wasted, all he could doe [w]as to maintain his fort, which he did on the spoile of his enemies, his owin being totally wasted. After Banockburn, which fell out anno 1314, the kingdome returneing to peace, the followers and tennants of Kenneth of Kintaill returned to ther wasted country. This Kenneth kept ane intimat freendship with Andrew Murray when he wes a privat man, and fidelity to him whilst he wes governour, and haid the fortune to be with him at his death anno 1338.

To him succeeded Kenneth ni Stroin, from his nose, as Scipio wes in . He wes maried to , daughter to McLeod of Lewis, by whom he had on only sonne called Murdo, but befor his mariadge he haid three bastards, on called Hector Birrach or , of Drumnarnage, who acquired that land by marrying Hellen Logan or Loban, daughter to Loban of Drumnarnage, on of the Earl of Rosse fewars. This superior having ane innate enmity with Kenneth's race, wes the cause that this Hector had no peaceable possessione of Drumnarnage, but turneing outlaw, retired to Eddirachilis, wher he left a sonne called Henrye, of whom are descendit a race yett possessing ther, called Slight-Henrick or Henrye's race. The 2d wes called Sewill, and agnated Dearthuilach from his reed eyes, from whom are descendit John McKenzie, commissar deput of Ross, the Maister of Croy, and John writer in Edinburgh. And of the 3d bastard, called Alexander, are descendit the clan Murchievor, in Leadgown, and many of the comons in the Brays of Ross.

This Kenneth, the Laird of Kintaill, wes surprysed be the Earl of Ross, and execut at Invernes, the dait of this fact I could not be certainlie informed of ; but by David Bruce's imprisonment at this tyme, law gave place to force, and innocencie wes p[r]eyed on by insolence, especially in thes northern pairts. The Earl of Ross disposed of McKenzie's lands as he thought fitt ; only the castell of Ilandonan did keip out still. The 3 bastard sonnes of Kenneth, Hector, Sewill, and Alexander, possesses themselves with what they could of Kintaill, and dismeaned themselves, according to the custome of the tyme, in all maner of outrages to the weaker neighbours. Mean while the righteous aire, Murdo Dow, being a childe, wes convoyed for securitie by some of his father's faithfull servants to McCoul of Lorne, wher he wes kept till he came to manly age, at which tyme one McAuley, who all this tyme kept Ilandonan, vent for him and brought thither safie, non shewing themselves greater enemies to this aire then his three bastard breithrein.

Murdo McKenzie of Kintaill, succeeding to the lands which he haid by his father,

snceidit also to the feuds of his neighbouring clans, especially the Earl of Ross and Donald of the Illes ; for they, tacking the advantage of the troubles dnreing David Bruce imprisonment, confideing in ther owin power and the remotness of the place, Murdo lyckwayes being a stranger and bot a new established family, and consequently weak in freindship, they honnd ont ther sorners with sufficient strengthe to wast his lands. All he could doe wes to requitt them with spoiling als mnch of thers as his force could reach, guarding his persone and choisest men in Ilandonan ; but all his estat being wasted, he haid recours to his brother-in-law, McAula of Lochbroome, who, asisting him with what force he could, did attaine no more by so doing but to have himselfe ranked in with others, the Earl of Ross enimies, who now wes Lesly, but ledd to ill practices by asociation with Donald of the Illes, with whom the Earl of Ross kept a great freindshipe, till, by matching with him, they fell into the title and posses-sione of the earldome, as shall hereafter appeare.

McAula of Lochbroome, shairing now in the feued, they hound ont Leod McCillendris, a depender of the Earl of Ross, and possessor of severall lands in Strathcarron and some in Strathhokell, to invade Lochbroome, which he did with such nscess that he kild McAulae, and possest his lands of Lochbroome and Cogiach, wherby that family endit.

McAnla leaveing no childrein but the daughter maried to McKenzie (for so the Laird of Kintail wes and is still designed by the Highlanders), and the estat holding of the Earl of Ross, the Earl disposed the samen in lyfrent by tack to Leod, albeit Murdo McKenzie acclaimed it in right of his wyfe (and indeid we find few or no tailyed charters at that tyme). McKenzie distroyed in himself and his freind, fled to his vnckle

McLeod of Lewes, leaveing Ilandonan weill fortified, and send oftymes victuall to it by sea from the Lewis, but wearieing of so unactive ane exile and precarious lyvlyhood, he procured a pairty of sex scor men from his vnckle, and tuo longe boatts, wherwith comeing in to Invercu in Lochbroome, other say to Kisseran in Lochcarron, and accompanied with his cossing german,

McLeod, he getts intelligence that Leod had appoynted a rendivouz at Kenlochew, tnelf miles distant the nixt morneing, with intention to goe and beseidge Ilandonan. McKenzie seazes all persones he meitts with, and marches all night vp by the syd of Lochmourii (so called from ane iland in it wher Mouredns lived a hermitt), and comeing by the dawne in ane harvest day to the place of randivouz, all who were asembleing, mistaicking him and his people for a pairt of themselves alrcady rendivouzieid, still as they came he seazed them, and amongst the first Leod himself and his sonne Pawll bnt carying calmly till he haid seased all. He then offered this oppressor to the memory of

his brother-in-law, formerly killed by Leod, and execut him at Kenlochew, at a place in Achluask, called to this day Fe-leod, that is Leod's myre, and possessing himself with Lochbroome in his wyfe's right, the only child leiving of M^cAula, he disposed of Cogiach to his cossigne M^cLeod, for his notable asistance in his distress; which lands they both retained, but could obtaine no chartours from the Earls of Ross, of whom they held, the Earls of Ross pretending that they fell to themselves in defect of ane aire-male, the other retaineing possession in right of his wyfe, as aire of lyne.

He was a young man of a feirce and barbarous nature, loweing warr and action better then peace and queyt, who, contracting a freindshipec with Pawl, sonne to Leod, who wes prisoner, he procured his liberty from his brother, on conditione that he should resigne his tack in M^cKenzie's favours; on which termes he wes dimitted, and evir after Murdo Riach and Pawl observed a perfect freindshipec. For Paull sonne comeing shortly therafter to the age of a man, he desyred to mak spoile on some neighbouring country, a barbarous custome, but most ordinary in thes dayes, as thinking therby to accquir the reput of valour, and to become formidable, the greatest security amidst ther unhappy feuds. This ther prentice sey or first expeditione wes called in the Irish creach vachtin the young mans hership. Whither Paull wes incited to this by Murdo Riach or not is not now knowen, but asisted by him he wes. The place they pitch on for depyrdatione was Cathnes. So levying such force as they could, they obtained peacable passadge through Sutherland, and falling in to the brayes of Cathnes they robed the country, drowe away multitudes of cattell, and returned in safty home. After which Murdo Riach nevir haid his brother's kyndnes so affectionatly as formerly, nor did Paull or he evir resume that peacable deportment which haid bein fitt for good men, but puft up with success they frequently spoiled Cathnes, till at last Murdo Riach was killed at , in Caithnes, and his two-handit sword, since that tyme kept by Burb of Tottinga till Kenneth, now Earl of Seafort, haid it from him anno 1668, after whois death Paull wes not so turbulent, but had peace on no other termes granted then by giveing his daughter to , Laird of Ballnigowin, who was coossing and favourit with , Earl of Ross, at that tyme, by which mariadge the greatest part of Stratharron, and much of Strathhokell, fell to Ballnigowin. Of this Murdoch Riach are descendit the race called Slight Vurchie Riich, a people who reteined much of the nature of ther forfather, tho restrained by law and good government, and are numerous in Lochbroome, Cogiach, Sutherland, and Lewis.

But to returne to Murdo of Kintaill, he haveing acquired possessione of Lochbroome, he shortly therafter went to Kintaill and peopled it againe the best he could, by recollect-

ing his native tennants, which he did with the mor eas that the Leslies, all this while being Earls of Ross, they walked more justly and peacably then others befor or after did ; and lyckwayes David Bruce, haveing returned from his imprisonment anno 1357, peace wes the better observed at home, the benefeit wherof wes injoyed be M^cKenzie, for all the while of this turbulent adge I find no securitie in the chartor-chist till the year 1362 ; at [which] tyme I find a chartor granted by David King of Scotland to Murdoco filio Kenneti de Kintaill de terris, etc., dated at Edinburgh 1362, et regni domini Regis 31, testibus Waltero Seneschalli Alexandro Ramsey, and otheris.

To this Murdo Dow M^cKenzie succedit his eldest sonne, Murdo agnamed Murdo ni Troit so called . He married Fingalla, daughter to M^cLeod of Herries, by whom he haid only on sone, Alexander, who succedit him. I find a charter gevin by King Robert to Murdo, filius Murdochi de Kintaill, of Kintaill and Lagan Auchudrom, daited apud Edinburgh, anno 1380, et regni nostri , testibus Willielmus de Dowglas, et Archembaldo de Galloway, et Joanne cancellario Scotie. In this Murdoch his tyme, Alexander Leslie, Earl of Ross, who wes kild at Halidown, I say Alexander, sone to the said Walter, married his sister Euphame to Donald of Illa, and he himself married Robert, the governour's daughter, by whom he haid on only daughter Euphiam, who, dieing in the governour's custody, did, befor her death, dispon the Earldome to the governour faillieing of aires of hir body, which Donald of the Illes alleidged to have been carried on by force, and deceit in the governor in prejudice of his wyfe, who should succeed to hir neice as neirest aire. He came from the Illes with a power of men, and posest the Earldome. The governour, Robert Stewart, haveing the magistracy in his hand, fixt his title by law. Donald, who haid the naturall claime, retained possession by force, wherupon the governour, makeing it a publict quarrell, raisd ane army vnder the conduct of the Earl of Marr, his brother, who, marching north, wes rencountred by Donald at Harlau, in Marr, wher wes fought that famous battell of Harlaw, anno 1409, with incertain victory, had not Donald's tuo speidy retreat after the battell ascertained it to the governor, induced therto perhappes by his confederats, who, terified by the name of authority and magistracy, perswaded Donald to comply with ther inclinationes. At this battell Donald wes asisted almost with all the northern people, M^cKenzie excepted, who, because of the many injuries receaved by his predecessors from the Earls of Ross, and cheefly by instigation and concurrances of Donald's predecessors, he withdrew and refused concurrence. Donald resolved to ruine him, but deferd it till his returne, which falling out mor vnfortunatly then he expected, did not allow him power nor opportunity to use the

vengeance he intendit, for, on his returne to Ross, he sent to McKenzie a freind with fair speiches desyring his freidship, thinking no enmy despicable as he then stood. Murdo coming to him to Dingwall, Donald dealt with him to joine him, and to give assurance to his intrest, which Murdo, partly out of hatred to his family on old feuds, partly diswaded by Donald's declining fortune, refused, wherupon, most vnhandsomly, he maks Murdo prisoner, and secures him in a low chamber in the castell of Dingwall, who, at a window he informed a Kenlochew man, his foster-brother, that the only way to releive him wer, if they could apprehend the Laird of Ballnigowin, a persone at that tyme old, but on wher Donald did cheifly rely on for counsell, and on that wes respected in the country as descendit of the former Earls of Ross befor the Lesly. In persuance wherof, the Kenlochew men being informed of this by the foster-brother, past towards the house of Ballnigowin, all alongs by montaines and night-travelling vndiscovered, being in number 42, and, coming by day light to Ballnagowin, they fand the good old man at matins in the chappell within his gardin, wher, seazing him, they in hast fled with him to the hils and past homeward. Ther interest for most pairt lay at a distance, and to the east; the Monroes posest most of what lay to the west, who, being stird with the injurie don to ther freind and neighbor, the Laird of Fouls, with such as he could gather in hast, advanced to the hils with designe to fall in befor the Kenlochew men. Fouls with tuo of his sonnes wer on horse, having left his 3d soun by the first wyfe a man at home. He failed not in his designe, but falling on a strait ground on the shoulder of the high montaine , he overtaks thes Kenlochew men and falls on them with what power he haid. They regarding more ther maister's liberation then ther owin safty, send of 4 of ther number to Ballnigowin to cary him away, and the rest being 26 ; and for ther defence they tyed ther shooes with ther belts on ther breasts to defend them from the enmyes' arrowes, and, in this posture, setting themselves in a narrow passage, and the ground serveiug them conveniently for keiping thos sent with Ballnigowin from discovery, they fought with such valour, that at the first rencounter, haveing kild Foull's eldest sonne, they so provoked the father's furie, and his so stir'd upe the couradge of his followers, who containually increased from the touunes about, that albeit all the defendants wer kild to a man, yet wes ther lyves sold at a dear rate, haveing not [only] kild Foulls and his tuo sonnes that came forth to the persuit at first; but his lady being a stepmother to them, and the other young man who wes left at home she wpbreaded him with a shamefull lurking whilst his father and brothers wes in danger; wherupon he lyckwyse followed in rage, and coming too late to safe his father, came soon enough to share in ther fate, wherby a young childe,

and sone of the second mariadge, wes that night cheife of that tribe, his father and 3 brethrein falling iu that conflict. The place wher this wes fought is called to this day Beallachin Broege, that is, the Pack of the Shooes, because of the binding the shooes on ther breasts, dnreing which fight the 4 that vent away with Ballangowin wer out of all reach, and so convoyed him to Kenlochew, and imediatly addrest to the Earl of Ross for ane exchange with ther master, which he readily agried to, both because of the affectione he cary[ed] to Ballnagowin and because he found himselfe necessitat to leave Ross, the governour comeing with a force to posses it. This McKenzie wes releived by the fidelity and valour of his servants, whois actione, tho but a few and mean persones, and obsenred from wreitters, did justly me[r]itt ane mentione in the best records, being eminent for affectione, fidelity, couradge, and conduct. McKenzie this releived, he repaired to Kintaill. This fell out the next yeir after Harlaw, which, according to Boetius, wes anno 1409, and [Holin]shed 1411. Of this Murdo I find not much mor to say till the yeir 1427. I find ane other chartor givin to him, without variatione of stile or tenor, by King James, at Invernes, at which tyme Alexander of the Illes, and pretendit Earl of Ross, came to the King and ingadged his faith for future fidelity and peacable behaviour, and on that wes sett at liberty. Many robbers and rebells wer execut by King James the First at that cirenit, and most at Invernes ; bnt shortly thereafter the Alexander gathered the Islanders, and in his passage to Invernes robed and burned Kintaill ; he burned Invernes and beseidged the castell, but the King, with admirable speed, convocat a couvenient force. On the report of his comeing Alexander disguosd himself, and, in a poor habit, mad such heast, that finding the King at Halyrood-house befor he marched, in church, at Mass, on Easterday, and finding the King in devont action, he threw himself befor him, begging mercy for His sak who rose that day. The Queen interceiding for him, the King pardoned as to lyfe, but gave his persone in custody to William Dowglas, Earl of Angus, in Tamtallon. His mother, Ennphiam, daughter to Walter Lesly, Earl of Ross, wes comitted prisoner to Inchcolm, she being of a turbulent temper, and ane inciter of hir childrein to rebellion, moved by the loss of the Earldome of Ross, wherto she acclaimed title ; this happened anno 1428. Nevertheles, hir second sonne, called Donald, and agnamed Baleach, raised the Islanders, and intendit a rebellione, to obviat which the Earles of Marr and Caithnes, both then of the surname of Stewart, wer sent by the King against them with ane army. This Donald wes then very young, and caryed on principally by his kinred and McLean to this course. The Earles rencountered him at Inverlochy, in Lochaber, wher Donald haid the victory; and the Earl of Caithnes wes kild ; the Earl of Marr fled,

and Donald returned to the Illes with spoile in triumph. The King raised ane army to reveng thes wrongs, wherwith he marched to Dunstafnage ; on his comeing Donald fled to Irland, and most of the clans, his confedrats, submitted to the King, others of his followers wer apprehendit and execut, to the number of 300. I find a comission anno 1431, to Murdo McCanich de Kintail, granted by Alexander, Earl of Marr, for apprehending Alexander Keyle and his complices, and to execut justice on them, and comanding all other subjects in each place to give help to riddance. The writt is old, and is daited at the Castell of Forress.

To Murdo ni Troit succedit his sone Alexander agnamed Inrick, *i.e.* honest, for his truth and honest behaviour. At his entry to his estait the country wes in peace, and the Earl of Ross (for all this while the McDonald keptt possession) wes vnder obedience. His name wes Donald, who haveing obtained pardon for the rebellione he haid raised, instigat to it by the Dowglas, when he wes banished be King James the 2. He leived for a while in good neighbourhead with the King's subjects, which wes on [of] the express conditiones of his pardon. This Donald, in his rebellion, haid seased the houl of Invernes, and stilled himself, foolishly, King of the Ills ; but on his submission he wes pardoned, and asisted the King with a considerable force at Roxbrugh, wher the King being kild, he returned to his country and old course, seased Invernes againe, spoiled all the good subjects about, and amongst other he employed ane pairty to tack Alexander McKenzie of Kintail, who, haveing bein with him at Roxbrugh, he thought to have haid him ane assistant still, but Alexander, who wes only with him whilst he wes with the King, finding him debord from his aleidgance, retired amongst the first, which so

Donald that, as I sed, he employed a pairty to tack him, haveing nottice that he then residit at Inversteall, in Kintail ; but a foolle or jester, to whom Alexander had bein kynd, who abod in the Earl's house, advertished Alexander, by sending a boy to him to repeat a rhyme, which, tho it seemed nonsense and folly, did couch advertisment enough to Alexander, without no doubt had ingadged this fellow to such lyck service, so he escaped, but the party wasted his country. On thing is remarkable, that his hereditary tennents, tho not descendit of his prediccursors (as most of the Highland tennants are desendit of the samen family with ther cheiff), did nevir prow vnfaithfull, no, nor nevir deserted them in ther so many difculties which the Earl of Ross and Donald of the Ills did afflict them with since Collin Gerald's first planting in Kintail, but maugre all the prejudice of warr they adhyred to ther maister. The lands of Kintail being weill furnished with venison and fischings, which in all made by ther enimes furnished them

victuall for ther mantainance. This trouble containowed to Alexander all the tyme of Douald's lyfe, who haveing tacking the Earl of Atholl and his lady prisoners, and spoiled the whole country, robed St. Bryde's Church, in Atholl, and perpetrat many haynous outrages. By God's just judgement he became made. The prisoners wer released, and he caryed back as ane attonement to St. Bryde, tho to no purpose, for his madenes containeuing, wes caryed back to Inverues, wher he died, anno 1461 ; and which wes very remarkable, many of his captaines fell with him in the lyck madnes, and died so. After his death the country became mor peacable, and Alexander veut south to gett new confirmation of his lands. His chartor from the King is daited apud Edinburge, anno 1462, et regui domini Regis secundo, testibus Jacobo Archiepiscopo [Sancti] Andree, domino Alexandro Boyd, domino Guilelmo Cranston et aliis. Alexander had to his first wyfe, Aun, daughter to McCoull of Loruc, by whom he had Kenneth and Duncan ; and after her death he married Margrat, daughter to McCoull of Morir, by whom he haid Hector. Off Duncan are descendit the Shiell Allaine and Loggy ; of Hector, the family of Garloch. Douald of the Ills, and Earl of Ross made Johnne, his sone, succeid in both. He begane his lyf with imitatione of his father, but with mor pardone [prudence] and fewer injuries. He desyred freindship with Alexander of Kintail ; and to obleidge him the more he gave severall lands in the Brayes of Ross, to be holdin ward of the Earls of Ross. The chartor containes the lands of Garive, Kenlochlychart, Killin, Garbat, and of the lands of Kenlochow. It's daited apud Castrum de Dingwall, 10 Januar 1463. The disponder designes himself Joannes de Illa, Comes de Ross. Thes lands of Kenlochow wer a pairt of thes which Murdo Dow did claim, with the rest of Lochbroome, in right of his wyfe, as I ther mentionated. But at this tyme Johnne Earl of Ross dispons them be wertew of his preteudit right, wherby also he and his predicessors did still claime and oftymes posest them and the rest of Lochbroome. This emity containued a good whille, for tho John did comitt many outradgs on others, yett all the while he lived in good neighbourhead with Alexander, till, stird up by his bad counsellours, he invaded Murray, to which expeditiouse Alexander refusing concurrance, after his retorne he dispoest him of thes lauds formerly gifted to him ; but John being called to a Parlyament for his wrongs, in Januar 1476 he wes accused of treason, and not compeiring, no sentance past. Wherfor the King raised ane army of the best men benorth Forth to persew him. The Earl of Craufoord wes made admirall by sea, and the Earl of Athol be land. By the Earl of Atholl's meanes, John wes brought to submitt himselfe to the King, anno 1477, and then he resigned the Earldom of Ross, Kintyre, and Knapdell in the King's hands for evir, which resignation is recordit in Parliament ; and the King pardoned his officers

[offences], and of new invested him in the lairdship of the Ills, to be holdin ward. The lands of the Earldom of Ross, disponed by this John, wer for most part reduced, but Alexander of Kintail haid gift renewed, and a new chartor givin of them to him at Edinburgh, anno 1477, which wes immediatly after resignation. The resignatiōne wes in May, and his chartor is in September. Whilst John of Illa oprest Alexander, non wes a greater enemy to him than Allan of Moydart, who made severall inrads into Kintail and robed it ; but after that John haid resigned the Earldome of Ross, his dependers wenting his protectione, this Allan's young brother drew a factiōne of his tennants in Moydart, and by violence posest the estait. John of Illa being vnwilling to medle in turbulent affaires, or, as some thought, favouring the younger brother, refused assistance to Allane, wherupon he came personaly to Kinnellan, a place in Ross which Alexander haid then in his possession from the Earl of Sutherland, and being ane ille in ane loch, Alexander did ordinarily reside in it for security, and whose presence surprysed Alexander, as being on of his greatest enimies, and never reconcild ; but he told him plainlie how he wes abused by his neirest freinds, and therfor choist to make his recourse to his greatest enimies, who perhaps might therby gain as faithfull a freind of him as formerly he haid a diligent adversary. And Alexander, deteasting the oppression done to him, requitts his adres with a good assistance, and vent in persone with sufficient force to repossess him, which he accomplished. Heirvpon the weaker party make some representationes with the King of Alexander as a disturber of the peace and ane oppressor. Whereupon he wes cited to Edinburgh ; but heir wes occasion givin to Allan to requitt Alexander's generosity, for Alexander haveing raised armes to assist him without commission, he found in it a transgresion of law, tho' just upon the matter ; so to prevent Alexander's prejudice, he presently vent to Hallyroodhouse wher the King wes, being of a bold temper, did truly relate how his and Alexander McKenzie's affairs stood, showing withall that he, as being the occasiōne of it, ues ready to suffer what law would exact rather then to expose so generous a freind to any hazard. King James wes so tackin with ther reciprocally heroisimes, that he not only forgave, but allowed Alexander and of new confirmed Allan in the lands of Moydart. A litle befor I hinted that Alexander had Kinnellan from the Earl of Sutherland, which wes on this occasiōn : the King haveing the Earldome of Ross now putt in his hands peaceably, he [gave the] manadgment of its rent to the Earl of Sutherland, who pute on Alexander as the fittest persone to order it for him, wherwpon he transfers that trust on him, wherby he haid occasiōn to be oft in the Low Countries, where he haid no lands, but choisd Kinellan (a secnre place) for his abod, and Braan for a maines, both which he and his successors kept as rent-

allers to the King, till Kenneth of Kintail fewed Braan, and Coliue his son fewed Kinellan. This wes a kyndnes from the Earle of Sutherland, and Alexander ues neither vngrate nor vnfaithfull, for he not only accquitt the trust weill in manadging the Earldome to the satisfaction of the King and the Earl ; but the Earl being south, waiting ou the King, the Strathnaver men and braymen of Cathuess took oportunity in his absence to invad Sutherland. Ther preparationes wer not so queyt, but that the allerum of ther intentiones spread over the adjacent countries. Wherwpon Alexander, with a party of about sex hunder men, past over to Sutherland, and the Sutherland joyneing with him, he gave a notable defeat to the robbers, kild many, and forced the remanent to secure for peace, and to find surty for peacable caryadg for the future. At this tyme he begat on a gentlwoman in Sutherland a sone, who wes called Dowgall ; and the Earl of Sutherland, in kyndnes to his father, causit educat carfully, who profitted so in letters that he wes made prior of Bewlie by Pope , and is yet memorable for prudance and pietie in the records of that priory. He repaired the church of Bewlie, inlarging it with a south ille, opposit to McKenzie's ille, on the north syd of the kirk ; in which south ille prior Dowgall lyes buried in a tombe artificiall according to ther tyme, buildit by his own directione.

Ther is a traditione that when this Alexander wes a boy at scooles, after his father's death at St. Johnstoun, that his bastard brother, Hector Birrach, aud Sewill Dearhullach, that is reed-eyed, did usurp his possession, and some actiones are rencountred that past on his recovering of his estate. Ther is no certainty in this, for out of doubte Alexander wes of manly adge or his father died. Off Hector Birrach I know no successione. Off Sewill are come John McKenzie, comissar deput, Mr. Rorie McKenzie, parson of Moy, and some others.

Alexander wes now old, and haveing attained to longer peace then any of his predecessors, he wes desyrous to provyd it to his posterity ; his eldest sone, Kenneth, comeing to the age of 20 yeires, he judged it a fitt mean to procure his peace iff he should match with John of Illa, and so extingushe ther old feads in that dearest band, whereto Illa soone accordit, and a mariadge wes solemnized betuixt Kenneth and daughter to Johu of Illa, whom traditione calls the Earl of Ross, but wrongously, since this wes long after the resignation. Donald, eldest son to John of Illa, came to Ross, and now the mor secure because of this allya, he posseses himself, tho not with the Earldom, yett with the house of Balcony and adjacent lands, as ues thought with further designe, and to ingadge his old dependers at the nixt Crist-mas he provydit a great feast, inviting to it most of the cheifs and considerable barons

benorth Spey, amongst others his brother-in-law, Kenneth. The house of Balcony being somewhat out of repair, haid not such convenience to lodge all the guests, wherfor of necessity outtir houses wer accomodat for some. Kenneth comeing on Cristmas evin, with such traine as that tyme allowed, for the least being towards 40 persones, on McLean, who wes cheeff overseer in the house, haid discordit with Kenneth some few dayes befor at gameing ; and it being in his proveince to ordour the respective lodgings for ilk guest, he meitt Kenneth and told him because of his relatione to the family they had made bold to provyd his lodgings in the kill, which Kenneth tacking ill, and worse that he deemed it to proceid from this McLean's resentment, in aue indiscreit rashnes he gives him a box on the ear, and, being of great strenth, threw him to the ground, which the servants (not few in number) tacking as aue afront to McDonald, for so they did still denominat ther cheefe, made to armes ; but Kenneth, tho bold enough, finding himself too weake aither to fight or to retreat handsomly, did with a ready judgment fall on a way both safe and shamles. Balcony lyes neir to the sea, some boats wer provydit for transport of the guests, to which boats Kenneth goes and tacks them of the shoare, what wes mor as served him he sunk, and in tuo or three he past to the other syde, wher he abod that night. Thes of the other sid, judgeing nothing les then that he should abyd ther, but that he haid immediatly retreated to the hils, that night he abod with a tennent, who haid no syrnam but a patronimick, as all the comons in Ross have ; but this proud younge man, boyling in passione, tooek it as afront that he ues necessitat to be on Cristmas from his owin house, and neither with a freind nor kinsman, nor on his owin estate ; he first desyred his landlord to owin the syrnam of McKenzie, and promest him protectione, whereto the goodman willingly accordit, which he and his posterity retaine to this day. The nixt morneing, being Cristmas day, he vent to the hill abowe Chanry and desyred to speak with the Bishope of Ross (who ues solemnizing Cristmas with some of his clergy), and with some what of the toune desyred him to come speak with him. The of thes tymes and the young man's temper, made the Bishope to condescend to meitt him, tho' it lookit a litle strange. At meiting he would neid have a few of that litle peice land wher he haid lodged the night befor, and told the reasone, least McDonald should bragge that he haid forced him on Cristmas to lodge at ane other man's discretione, and not on his owin heritadge. The Bishope, partly willing to obleidge him, and to by him in wassaladge, and partly fearing to doe otherwayes, perceaveinge the man in radge, he presently sent to the [toune] for his clerk, and drew a chartor of the toune of Cullicuden, for so the place wes called, wherupon Kenneth returned to it and abode in it all that day as

his owin. This toune, tho' small, he and his successors kept to Colline of Kintail acquired more of the Bishopes fewes contigue to it, and at last it with the rest was exchanged with the Shirreff of Cromartie for some lands in Strapepher. The next day after Cristmas he vent to Kinellan, wher his father Alexander wes, who, extremly greived at the occurrenc, knowing that a small varriance would reveive ther old grndges, and albeit now they wer in les fear because that M^cDonald his intrest of Ross, yett the old experienced man knew them a great elann, and mor powerfull thene himself in privat force, but thes sentiments did nothing allay Kenneth's discontent, whois naturall feireness could broock no disobleigement, but thought himselfe wronged to that height that he wished opportunity of revenge ; bnt the fate of the other family did prevent the injurie towards him, for in the fourt day on wes sent from M^cDonald (who, because John his father wes on lyfe, wes called the Tiernoige, that is, the young lord, for tiern extendit to all persones of qualitie then), and the messinger had mandat to warne Alexander and Kenneth to remove from [thence] and all ther family in 24 honrs, with certification of warr if they did not, only allowing that the young lady, his sister, might stay till she wer accomodat by leasur to remove. Kenneth, not waiting his father's answer nor advyce, did in angir but tell M^cDonald he would have his father sitt ther

him and all his power ; for himself, he ues to receave no rrules for his staying or goeing, but he should be snire enough to hear of him wherevir he wer, and for his sister, since he had no mynd to keip further peace with the brother, he would not longer keip hir, bnt with some small convoy of servants sent hir presently to Ballcony, which unhumanity did so greive the poor lady that after that she nevir recoverit health, haveing a short whill befor bein brought to bedd of a sone, who wes called Kenneth, and because his father wes of the samen name he wes called Kenneth Oig, *i.e.* younge Kenneth. It apeared that he haid no kyndnes for this lady, for some few dayes after he pnt hir away he vent to Lovat, accompany[ed] with towards 200 men, and beseidged the house. The Lord Lovat, who wes surprysed with this actione, vent to demand its proposit. Kenneth told that he came to demand his daughter Ann in mariadge, in respect now that he haid no wyfe, and desyrit hir without further deliberation, since by that he should obleidge him in a strict freindshipe to his family ; and if he refused, he should ingadge him to a mortall enmity, the first effect wherof should be that he haid at present a party gathering the men, women, and guids that wer neir adjacent, all which shold be made on fyne to evidence his resolution. The Lord Lovat, who haid no kyndnes for M^cDonald, and wes desyrous enough to ingadge M^cKenzie in a freindshipe, straitned also with the exigence of his people's danger, and know

ing the bold temper of Kenneth, he resolved to grant his desyre, and accordingly delyvered his daughter to him. He immediatly returned home with hir, and ever after leived with her as husband and wyfe. McDonald, exasperat by thes injuries, sends his great stewart McLean to levy forces in the Ills, and to convocat his neirest relationes in the Maine, such as the McDonalds of Moydart and the Clan-Ean of Ardnimurchan, who, haveing in short tyme made vp a sufficient force towards fyftein hundereth men, he acquainted McDonald therwith, who appoynted them to meitt him at Containe, in respect that Alexander McKenzie being old, hade not gone to Kintail, bnt resolved to stay in Ross, jndgeing that the McDonalds would not adventur to convocat and invade the Lowcountry after such late ingadgment to obedience and peace ; yett Kenneth, forseeing the dangir from the rebellious temper of his brother-in-law, had, on the begineing of McDonald's preparationes, gone to Kintail and secured the honse of Illandonan with a competent garison and snfficient provisiones, the goods with some to drive them to the most remote and queyt hils being left, he tooke the rest of the fensable men, with all others of his dependers in Strathchonan, Strathgarve, and other glens in the Brayes of Ross, to guard his father and himself, tho a number very unproportionable to the force convocated against him. However, confideing in the protectione of the lawes, and the opinion he haid of the McDonald's vnwillingnes to invade Ross, he stayed at Kinnellan, his father abod in the litle Ille ; Kenneth, with such as he haid with him, lay at the Lochsyd, in a secure ground. McDonald's forces, ledd by Gillespick, brother-natrall to John of Illa, and vnckle to this Donald, who wes at Balcony, drew donne to Ross, wasting Kintail and Strathconan as he past, came to Containe on the day of , being Sunday. The whol people wer in confusione because of the outrage of the Islanders. The fensible men wer with McKenzie, the old and yonng, with ther women, fled into the kirk of Containe, jndgeing that a secnre shelter from Cristiane enimies ; but it prowed not so against sacrilegious outlawes, who, I know [not], whither with more impietie or crueltie, lock vp the doores of the church, the preist and people being within, and burned them all to ashes, not on escapeing. Some of the beholders runne away and acquainted McKenzie with this execrable accetione, greived at the lose of the people, but declared a gladues, that thes who wer otherwayes tuo nmberous for him, haid now ingadged God against them. Containe lyes not a mile from Kinnellan, wher McKenzie ly, but apprehending that McKenzie dared not abod, McDonald appoyntit his vnckle Galespeick to draw the forces vp to the large moore, called in the Irish dialect Blairnapark, that he might veive his forces, and send out parties to persew McKenzie. McKenzie all this whill ly in his strong ground,

which he judged himselfe able to defend, and conveniently enough situated to wait for attaques on the enimie if he should find oportunitie. He haid not abow sex hunder men, and for thos he had provydit wictualls for a longer tyme then M^cDonald could keipe his forces together in that place. The contry people have drewin ther goods to remote places, so that M^cDonald could not weill be furnished. About tuelfe cloack M^cDonald drawes vp his forces in the moore, which ly not a quarter of a mile leaguir, and separated from it only by [a] litle moss. Kenneth, fearing to be besiedged, perswadit his father to goe to a stronge rock called Craignifich, [that] is the raven's rock, by which place Kenneth resolved to flee if he found it necessar, the old man vent recomending his sone to God's asistance, and, by his confident , assuring them of succes, notwithstanding of the power of the adversare. Kenneth, perceaving M^cDonald's force greater then wer fitt to be fought with by his small power, resolved to maintaine his ground ; but, moved by ane excess of couradge, he resolved on ane essay to bring his enimie to ane disadvantage, which wes to draw ont 300 of his men, and to march straught over the moss towards them, judging that ther contempt of his number would procure vnadventancy, and probably to a disorderly assault ; and he resolveing and acquainting his brother Duncan with his resolutione to retreat at the first approach, so to intice M^cDonald to a persuit, he desyred Duncan, with the rest of the people, to be in readines to fall donne in a close body on the persewers in the moss, which being full of pits and of a narrow bounds, made the unequality of number less hurtfull. So marching boldly with his 300, M^cDonald in great derisione called his vnekle to sie M^cKenzie's impudent madnes, who dared this to face him at such disadvantage. Gillespeck answered that such extraordinar boldnes in our enimies should move extraordinar warines in us least we fall into vnexpected inconvenience. M^cDonald replies in rage, "Goe you also and joyne with them, and it will not neid our care, nor move the least fear in my followers." Mean whill M^cKenzie advances a litle beyond the moss, and M^cLean of Lochbuy, who had the vaun of M^cDonald's men, charges him, and with the first brunt M^cKenzie flies, but so as putting himselfe in the rearward he gave as much hurt as he received. The space for retreat wes short, and Duncan observeing the enimie disordered and scattred in the persuit, and within the moss, according to his brother's ordours, he marched donne, and assaulting them violently, he kills most of them erre they could attaine the maine batle, which most vnskilfully had also quitte ther ground in disorder, vnwilling that M^cLeane should have the killing of M^cKenzie's men alon, so Duncan entred ther battell, put them in great confusione. Kenneth meane whill, with this 300 (who wer all weell instructed in their maister's designe), followed after

Duncan, and err the enimie could draw to any ordor, he fall in on ther right flank with such fury, and doing such executione, that albeit the McDonalds wer ashamed to flie befor aue enimie so latly by them, yett at last ther resolutione gave place to his couradge, for Gillespick, to evidence that tho' he wes wary in his counsell he wes not fearfull in his actione, he sought out for M^cKenzie, and being guarded with some of his shouldiers, he found him out in the midst of the battell, signalized with extraordinar executione ; for, haveing kild or ceased all that opposit themselves to him, he gave a signe for Gillespick to begine ane new act, but Kenneth exceiding both iu strength and couradge, could broock no tedious debate in combatt but pressing in with a fearfull eagirnes, he at ane blow cutt of Gillespick's arme and past very farr into his body, so that he fell doune dead. M^cKenzie's standard-bearer rencountreing M^cDonald's, he slew him, and then trust the stal of the standard through his body, and left his attenders to guard it, himself pasing on in the battell towards his maister, who, seing him without his collours, asked what became of them. He told that he left M^cDonald's standard-bearer keipeing them, but without shame. Be this tyme M^cDonald wes tackin prisoner, and M^cLeane of Lochbuy wes kild by Duncane Moir, M^cKenzie's great scallack, which, with the great slaughter and contuance of M^cKenzie's vninterrupting fury, the enimie fall to a totall flight, in which most of them all wer kild, quarter being no ordiuar complement in thos dayes. Severalls of the M^cDonalds fled towards the river of Conan, wherby ane old woman subtilly who told them, asking for a foord, that all the river wes but on foord, they in the river and drownd. Thes who escaped or found the foord wer kild by on Classin Gowe, a smith ane of the Lord Lovat's people, who being related by coaltshipe that is fostering to Lovat's daughter, haid come to hir husband's asistance, but comeing too late for the batle, haid oportunity heir to doe more service then if he had bein at it. The night befor this battell the Laird of Brody haid come on some freindly occasion to Kinnellan, and nixt morneing, as he wes goeing to horse, he perceaved some of M^cKenzie[s] men in armes, wherupon he asked if the enimie wes certainly so neir as that it wes probable they should fight or night ; and being informed that they wer at hand, he stoped his journey and said he ues aue ill fellow and worse that would leave his freind at such a tyme ; and albeit M^cKenzie indeavoured to alter his resolutione and disuad his stay, yet he would neids abyd, and in the batle behaved himself to the advantadge of his freind and notable loss of his enimie ; and imediatly after the batle he vent on his journey, which did knit such a freindshipe tuixt M^cKenzie and him that it did propogat to posterity, and evir yett remaines tuixt them, being more

sacredly observed then the ties of affinity and consanguinity amongst most of others. Nixt morneing McKeuzie, judging that thos who escapit, rallyeing midst the hills, might robe and spoile his people who lye in ther way, he followed vpe to Strathconan, wher he found, according to his guess, that the enimie, towards 300, had railyed, and wer distroying what remainued of ther former crueltyes ; but on his sight they tooock them to flight, but to litle purpose, most or all of them being kild in the retreat. Some few that fell in McKenzie's way wer saised ; amongst whom wes Gillespeicks sone called Alexander. This Gillespeick is in the chartors named Glestin. He ues naturall brother to John of Illa, for in a chartor, daitit _____, granted by the said John to him, he designes him *fratri nostro carnali*. McDonald being tackin, Glestin kild, and now Alexander, sone to Glestin tackin, McKenzie returned with a compleit victorie to Kinnellan, wher he haid left McDonald vnder guard with his father. The old man imbraced his sone, but said (with a too great severity) that he feared they haid made tuo dayes work of on, since, by spairing McDouald and this young Alexander, they preserved thos who might yett giue them trouble. Yett Kenneth, tho' a lyon in the batle, could not by thes prudentiall warneings be induced to ane unglorious crueltie ; but feariug least his rude followers might committ some unhandsom fact on the prisoners, he send McDonald with a guard to Lovit, to be kept ther till he should advyse how to dispose of him, and he kept Alexander with himself ; and contrar to all expectatioun, within 6 monethes he released them both, tacking them bound by oath and honour never to molest him nor his, nor to pretend to any right in the Earldome of Ross, which Alexander, this Donald's grandfather, had so fully resigned formerly to the King.

Alexander McKenzie being of a great age, died at _____, and wes buried at _____. About the samen tyme Kenneth's first lady, whom he had (for any thing evir wes heard) so vnjustly divorced, overwhelmed with so many and great misfortunes from hir husband's facts and hir brother's fate, overcome by greiff, died at _____, the _____, haveing Kenneth oige, hir sone, not many monthes old. The King so weill approwed what Kenneth performed on this occasion, that notwithstanding he wes not vnder commissione, yett it wes lookt on as a kynd of self-defence, because of the contanuall oppressiones and wrongs perpetrat by McDonald's family on McKenzie and other legall people ; wherfor he wes continued iu possessione of the manadgment of the Earldome of Ross, paying some consideration iu name of rent for it. The McDonalds, after this stroak, never attempted anything on the Earldom of Ross, nor against McKenzies, but ther power with ther intrest evir after diminished, as shall appeir, McKenzie, with all the other inhabitants of Ross, enjoyeing thereafter the benefeitts of peace and the protection of

law. And albeit Kenneth raised great fears in his neighbours by his temper and power, by which he haid overturned so great ane intrest as that of Mc'Douald, yett it appearit that he did not proceed to such attemptts but on just resentments and rationall grounds ; for dureing his lyfe he not only protected the country by his power, but he caryed so, that non wes els esteemed a better neighbour to his freinds, nor a juster maister to his dependers. In that on thing of his caryadge to his first wyfe, he is justly reprovewable ; in all things else he merits justly to be numbered amongst the best of our Scots patriots. He had but one sone by his first lady ; by Lovat's daughter he haid four, John, Alexander, Rorie, and Mr Kenneth, and on daughter, named _____, who wes first married to McKey, and after his deceas to Rorie McLeod of Lewes, who begatt on hir on sone called Torghill ; and this Rorie being a persone inconstant and lacious, he forged calumnies against her without any ground, and therupon, as if she haid bein truly guilty, he putt her awaye, and married on Stewart, daughter to a gentleman in Orkney, and shortly after he put hir away also, and married a daughter of McLean's. I insinuat in this place, because from this, as a root, did arise many not emergents relating to the house of Kiutail and Lewis. All thes sones of Agnes Fraser wer young when ther father died. This fight at Blairnapark put McKenzie in great respect thorough all the north. The Earl of Huntly, George, who wes the secoud Earle, did contract a freindship with him, and when he wes employed by King James 3d to assist him against the conspirators in the south, Kenneth came with 500 men to him, in summer 1488 ; but erre they came the lenghe of Perth, McKenzie had notice of his father Alexander's death, wherupon Huntly caused him retire to ordor his affaires, least his old enimies might tack advantage on such a change, and Huntly judgeing that they wer rather too numerous then weak for the conspirators, by which occasion he wes absent from that vnfortunat batle wher King James 3d wes kild, yett evir after this Earl George, and his sone Alexander, the 3d Earl of Huntly, keipt a great kyndnes to Kenneth and his successors.

From the yeir 1489 the kingdom vnder King James 4d wes at great peace, and therby McKenzie tooock opportunity to setle his privat affaires, which for many yeires befor, yea, severall ages, had bein almost still disturbed by the Earls of Ross and Lords of the Illes, and so he lived in peace and good correspondances with his neighbours till the yeir 1491, for in the moneth of February that yeir he died, and wes buried at Bewlie, on the _____ of _____. All his predecessors wer buried at Icolmkill, as wer most of the considerable cheiffs in the Highlands, but this

Kenneth, after his mariage, kept frequent devotiones with the Convent of Bewlie, and at his owin desyre wes buried ther, in the ille on the north syd of the alter, which wes built by himselfe in his lyftyme or he died ; after that he done pennance for his irregular marieing of Lovit's daughter. He procured recomendationes from Thomas Hay, Bishop of Ross, to Pope Alexander the 6, from whom he procured a legittmatione of all the cheildrein of the mariadge, daited apud St Petri, papatus nostri primo, anno Cristiano 1491.

To Kenneth Ivlair, who wes the 4d Kenneth of Kintail, succedit his sone by the Lord of the Ills' daughter, called Sir Kenneth. King James 4 tacking great cair for keiping the Highlands in peace, amongst other mediums for aweing them he kept severalls of the young cheiffes at Edinburgh, therby reteineing pleidges of ther clanns, and tacking oportunity to civilize the Highlands by the good educatione of ther cheiffes. Amongst others, he tooke a speciall cair of this Kenneth and M^eIntosh, as being considerable for ther power, and both young men of great spirit. They remained at Edinburgh, vnder a favourable custody, till thes tuo young gentlemen, vnwilling to containow in this specious restraint, ashamed to be idle whilst they judged themselves fitter actors for the stage of ther country, they resolved to make ther escape from the castell of Edinburgh (for they haid the liberty of the bounds within the wals). In going over the wall M^eKenzie hurt his legge, wherby he wes vnable to goe so fast as wes necessar ; and M^eIntosh, resolving rather to be tacken with his freind then to desert him, in 3 dayes tyme they came no farther then the Torwood ; and in a privat hous, wher they suspected no danger, they meitt with the Laird of Buchanan, being ther in outlaw for slaughter. Knowing that both thes cheiffes wer the King's pleidges, and judgeing that therby he might have a meane to ingratiat himself with the King if he should tack them and bring them back to Edinburgh, he resolved so to doe, and in persuance therof he drawes his followers about the house, calling to the young gentlmen to rendir. M^eKenzie, who of a more violent temper, did, with more courage the[n] prudence, rush out with a drawin sword, refuseing delyvery and endeavouring ane escape. He wes vnworthily shott by on of Buchanan's men with ane arrow, and kild on the place. M^eIntosh wes tacken, and thereafter detained in prisone. Thes fell out anno 149^s_v. Hector M^eKenzie, vnckle to this Sir Kenneth, brother to Kenneth Ivlair, and sone to Alexander by his second wyfe, being a man of courage and prudence, wes left tutor by his brother to Sir Kenneth, his owiu brother-vterin Duncan being of better hands then head. This Hector heiring of Sir Kenneth's death, and finding himself in possession of ane estait, to which those only now haid title whose birthright wes

debatable, viz., the childrein begot by Kenneth the 3d, on the Lord Lovat's daughter, with whom he did at first so irregularly and unlawfully cohabit, ther youth further incuradgeing him, he dealt with his elder brother Duncane to quitt his pretence in his favours, and preserved a share to himselfe ; which Duncan refusing in favours of his nephews, whom he knewe restored to legittimation and capacity of successione by the Pope, Hector resolved to prosecut it without him ; and so, disowning his brother's childrein as illegitimat, he retained the possessione to his owin behooff. All the conntry peopl submitted because of the childrein's childhood and the tutor's persuasion. Yett the Lord Lovat to keip his sister's childrein right awak, he tooke a precept of *clare constat* from James Stewart, Duke of Ross and Archbishop of St. Andrews, to Johne his eldest sister's sone, as aire to his father Kenneth (for Sir Kenneth wes nevir entred) which precept is daited the last of Apryle 1500, and seasin thereon 16 Mey 1500, be Sir John Barchan and William Monro of Foulls, as baillie to the Duk. This containes not only the lands which M^eKenzie held of the Earl of Ross, but the barrony of Kintail also, which wes occasioned by the Lord Lovit's ignorance of that estate, he not haveing the chartor-cheist for his informatione, that being keipit vp by Hector the vnckle, so that the Lord Lovat wes necessitat to proceed npon conjectore, notwithstanding Hector still keiped possessione and manadged the intrest to his owin advantadge. He wes a man of good spirit and couradge, for the Laird of Fonlls, called William, being then baillie in the earldom of Ross to the Duk and of ane lofty mynd, he caried at a disoblidging hight with all neighbours, and amongst the rest with Hector, tutor of Kintail, who continued to possess Kinnellan as a rentaler, as his father Alexander had don. Sir William tooke occasion, for some small enormities of the tennents possessors, to hold courts on the place ; and as a mult or fyne, he cansed tack away the couples of a barne as a lasting token of his power. Hector wes then absent ; but heiring of this, he tooke in so ill pairt that he sent, in his passion, on to tell the Laird of Foulls if he wer a good fellow he would now come and cary the other barne away when he wes at home. Foulls, pickt with thes outbrawing words, did foolishly convocat a nnmber of his owin people, and of the Dingualls and McCulloches, who then haid bound ther dependance on him, and with the number of 900 men he came to Kinnellan sooner then Hector expected, who, on the othersyd, gathered all he could in so short a tyme, and at such a distance from the place wher the stock of his intrest did ly. His force did not exceid 180 men. With thes not willing to adventor on so vnequall termes to open battell, yett he designed ane attempt wherin he promised himself advantadge. With the 180 he conveyed himself secretly, with 24 hours'

provisions, in the ight tyme, to the head of the hill of Ferroll, a place so situat that Foulls behoved to march aither neir to its north or southsyd, both in his march to Kinellan and his returne. The nixt morneing Foulls marched by, nevir getting the least nottice of Hector, but supossing him about Kinuellan to owin his bragge. Foulls kept the strenth of his party iu the vann, litle regarding the rest. That day he did not hold court nor cary as baillie, but, deeming that below him to shelter his violence with pretence of law, he demolished the barne, and caused cary its couples ; and not content therewith, he spoiled the vtensils, such as they wer, and drow the cattell as a trophée to his promeis. In the evening late he returued, as Hector conjectored, carying his trophie in the front of his pairty, with a strong guard, and the rest of his choise men he placed in his reer, least Hector should persew, litle imagining that he wes tuixt him and home. Foulls haid marched west to Kinellan by the northsyd of the hill, thorow Strathpepher : and on what ground I know not, but ledd by his fate, he returned by the south syde, wher the highway touthched on the shoulder of the hill wher Hector wes, who, finding his desyre and hop meitt in the enemies' march, whilst they triumphingly advert litle to ther safty, and arre far dissipat in a long and negligent ordor of march, he letts them all pass till they of the reer ar within a muskett shott of him. He fells doune with violence on them, cutting betuixt them and the rest of the people. His power wes too stronge for the guard, so that or they could weill fitt themselves to resistance they wer cutt off, whose dying groans in the glowming of the evin, and the uncertainty, as weel as vnexpectednes of Hector's attaque, did so fright the rest that they presently rune away in confusione. Albeit Foulls, who wes in the vanu uith the trophée and its guard, did all he could to stope them ; yet it ues to no purpose, for fear persuadit more strongly then aither his threats or intreats. The flieing croud disorder that for pairty also, all wer necessitat to flie. Hector and his pairty meane[while] persewing ther victory with all possible violence, since in prudence they [could] not give quarter to such a number, as if tacken might tack ther victors, they choisit to kill all by Hector's ordor on that consideration. In this retreat almost the whol fensible men of the clann of Dingwall and McCulloches wer killed, and so many of the Mouroes, that for a long tyme thereafter ther could not be aue secure freindshipe made vp tuixt them and the McKenzies, till by frequent allyan[c]e and mutuall benefeits at last thes animosities are settled ; and, in ordor to a reconciliation, Hector, sone to this William of Foulls, wes married to John McKenzie's sister, on whom wes begott Robert, who wes kild at Halydoun. All this coufflict, besyd that it wes uotable for its handsome contrivance, inequality of force, and number of the slaine, ther were tuo litle

circumstance worth the noting : on wes that the persuit wes so hott as that they not only fledd in a croud, but they wer kild so att a place on the hill edge wher a descent fell into a hollow from each shoulder of the hill to a well, most of Hector's men being armed with axes and tuo handed suords, they cutt of in that litle space so many heads as toumbling doune to the well ther wer accompted 19 heads in itt, whenc[e] to this day it is named Tober ni Kean, or the fountaine of heads. Another wes that on agnamed Sunrachan, a servant of Hector's, persewed on of the enimie into the church of Dinguall, to which many had rune for shelter. As the persone wes goeing in to the church, Sunrachan apprehendit him by the arme ; the man cryed, " My sanctuary safes me." " I, but," sayes Sunrachan, " what a man puts in the sanctuary against his will, if he can he may tack it out againe," and so, puting him back from the doore, he kild him at on stroak. This William, who Sir William haid evir desyrs and designe the revenge this afront, and many thought that he intendit it, in that voyadge made by him to the Highlands as baillie to the Duke alongs the Highlands, anno ; but in his goeing he ues kild by the Camerons at Auchanschellach, in Lochcarron, for which Ewon Cameron wes a long tyme thereafter execut at Elgine, being 82 yeires of adge till the yeir 1507, at which tyme Johne, being in his vnckle's house, and about 18 yeires of adge, the house of Lovat tack fyre. When non dard approach to it for the flames, he boldly entred it and caryed out Lovit's chartor cheist, a weight even then thought much for the strongest man, and that cheist, yett extant, is a load sufficient for tuo. His vnckle, both obleidgd by the actione, and glad to sie such strength and boldnes in the young man, desyred to doe as much for himself as he haid done for him, and to recover his chartor cheist from his vnckle, and that he should have all the concurrence which he could give to that effect. John (whos prudence evin in youth-head went abow many men, as it did afterwards, almost beyond all of his country) did very sagaciously consider that his vnckle, a man of valour and wisdom, being in possession, could not without deficulty be expeled, in which atempts slaughter and depredationes could not be evited, and if once he did comitt any such things on thos who wer his natives, he should therby disobleidge them altogether to himself and ingadge them to his vnckle. Therfor he resolved to assay a more prudent course, and to strick only at Hector's persone, with whom he weill judgit all the pretence and the country people's respects would fall. In prosecutione of this he addrest himself to his vnckle, and required that since he haid tackin his estait he would give hime a galley and as many of the ablest youthes of the country as should voluntarily follow him, with whom he would pass into Irland, a kingdom then in warr, and ther either to purchase

a glorious death or a mor plentiful fortune then he wes lyck to have at home. The motion pleasd his vnckle exceedingly, who therupon not only gave him his owin birline (so they call a galley), but furnish him with all necessar provisione, asuireing him withall that if he should prosecut that designe he would yeirly send him a portione till his fortune should [be] abow necessity, wheras if he hade otherwayes resolved and endcavor to have molested him in his right (as he callit it) he should have brought a suddaine ruine on himself. Of all the youth in the country non voluntarily offered themselves to his adventor with John but threitty; nor would he have any who offered not themselves freily, on good grounds judging such, and only such, fitt compauions for him in his conditione, as resolut and affectionat. He appoynts them, with the boat, to attend him at Corristone, on of the privatest glens in all the west coast, and most distant from all other people, whilst he stayed with his vnckle, to be suplyed with some necessars, but indeid to observe his method and maner of converse. At last he tooke leave, with all secmeing alacrity and simplicite. His vnckl sent some servants to convoy him, but rather to ascertain him of his departur, and as watching him to prevent any designe. Accompanied with thes, he came to Corristone, wher the boat and his company waited. With thes he tooke boat and sett sail, with a fair wind, for the Illes, as intending thence to Irland. Hector's servants immediatly returned to ther maister, who leived theu at Wester Farburne, 24 miles distant from Corristone. At ther returne he asked wher they had left John. They told they saw him boated and gone. "Weill, then," said he, "we may now sleep without fear of Anne's childrein," for so Lovat's daughter, ther mother, wes named. But John, sailling doune the Loch of Corristone to a privat creick, he immediatly landit in a wood, dispersed his company, and desyred them in the most indiscerned pathes to meitt him at Ald Corrinarnich, in the bray of Corristone, which accordinglie done, he followed Hector's men, and albeit he wes neir them err they came to Farburne, yett he buir off and lingered till about midnight. Then calling his company together, he said: "Now, good freinds, I perceave you are indeid affectionat to me and resolut men, who have frielie forsakin ther country and relationes to share in my no promising fortune, but my designe in seeking only such as voluntarily would goe alonge wes that I might have certainty of the affectione and resolution of my people; and since you are they whom I ought only to rely upon in danger, I shall now tell you that I wes nevir so fanthearted as to quitt my inheritance without attempting what is probable for any man in my capacity. In order to this I feigned this designe for Irland for three reasones, first, to put my vnckle in securitie, whom I found evir hitherto very circumspect and weill guarded, nixt, by this to find out

a select faithfull number to whom I might trust, and, thirdly, that iu case I faill, and that my vnckle sall prewaill over my indeavors, that I might have this boat and provisiones as a saife retreat, both for myselfe and yow, whom I should be loath to expose to so great a danger without some probability in the attempt and some securitie in the disappoyntment. I am resolved this night to fall on my vnckl, for he being gone ther is non of his childrein who dare hope to repone themselfes to his place. The country men who nowe, for fear, depend ou him and disowin me, will, no doubt, on the same motives, promoved with my just title, owin me against all other injurious pretenders. On thing I most require of you, and it is, that albeit thos on whom we are to fall are all related both to you and me, yett since on ther destructione depends the preservacione of our lyfe and restitutione of my estate, ye most all promise not to give quarter to my vnckle or any of his company." To this they all agrie, without considering of ther naturall obleidgments to most of them, so on they goe, and about midnight, with great queitnes, they fyred all the quarters of the house wher Hector and his servants lay, they standing iu armes without to prevent the escape of any ; but some of them, provoked to more pity by the present danger of ther relationes then they wer when they resolved to give no quarters, called on the neirest freinds to come out and render on assurance. John sieing so many of them desyre this, that he wes not able to resist them, "Weill," said he, "my vnckle is as neir in blood to me as any in the house are to you, and therfor I will be as kynd to him as you are to them ;" therupon he calls him furth and asured his lyfe, who therwpon rendered himself to his nephew. Nixt day then vent a gait towards Kintaill (haveing sent on to informe his vnckle Lovat of what passed), wher all the people, both ther and in the rest of his heritadge, recognised him as ther maister. The house of Illandonan wes furthwith delyvered to him, with the chartor-cheist and evidents of his estate, and all the lands sett by him, as vse is ther at entry of aires, in which affaire his vnckle Hector gave him all possible asistance, and wes very helpfull to him, both by his prudence and experience in thos affaires ; and John, following his advyse, he gave the choise of all Keanlochew to Donald Dow McGillechrist w^cGillinach, who at Farburne haid endeavoured to kil Hector when John wes giving him quarter. This Donald wes foster brother to Sir Kenneth, and imagineing that Hector, who kept John from the inheritance, haid vnderhand bein accessory to Sir Kenneth's captivity at Edinburgh, and consequently to his death, he haid therupon conceaved ane inveterat hatred against Hector ; but Hector, judgeing all this to proceed from fidelity and affectionat to his maister, he tooke this oportunity generously not only to forgive, but to reward him. This Donald Dow afterwards kild

Buchanan at the batle of Flowden in reveng of Sir Kenneth, so myndfull wes he of revenge even in that comon ruine. John containued evir after in good termes with his vnckle, and in peacable possession of his estate. He voluntarily gave a portion of the estate to his vnckle for mantaineance dureing lyfe, but which wes more to Hector's advantadge he affoorded both men and money to him for prosecutting his designe on Garloch, which had his rise this : The Laird of Garloch, of the syrname of McLeod, and of the family of the Lewis or Shelltorkill, married McKenzie, daughter to Alexander of Kintail, and sister to this Hector. On what ground I know not, but McLeod of Lewis, whois sister wes second wyfe to Garloch, did kile McKenzie's sister's sone, who should succeid to Garloch, and so his owin sister's sone succedit. Hector, justly incited to revenge this, made some atempts in prosecutione therof dureing John's minority, but not willing to ingadge in a warr with so potent a neighbour as McLeod of Lewis, whilst he wes not secure in his vnjust possessione of his nephew's estate, he did not prosecut it so ardently all the whill, but now being frie of that fear, and venting a fortune suitable to his mynd and quality, he resolved at once to revenge the murdir, and, if he could, to make it productive of his owin advantadge. In order to this, he suits such as wer accessory to the murdir befor the Cheiffe Justice. Ther weell-groundit feares made them to absent themselves, wherwpon they wer declared fugitives, and comissione granted to Hector for ther persuit, which he did so resolytly manadge, that in a short tyme he kild many, preserved some to justice, and forced the remainder to a compositione advantagious to himselfe, which wes to dispoine to him and his aires the half or 3d part of Garloch (I know not whither, the chartor not being besyd me). His successors, who wer both active and provident men, did thereafter acquire the rest from ther unthrifty neighbours. The greatest defeat that Hector gave to the Shelillichalum wes at Balach Glasleod, near Kintail, wher most of them wer kild or tackin. At this fight old Duucane Moir, who fought so weill with Kenneth at Blairnapark, wes with Hector, and hearing that four men wer dailling at once with his sone ; "Weill," said [he,] "if he be my sone, ther is no hazard for that," which succedit accordingly. This Hector married McRanalds of Moydart's daughter ; John Glas, his sone, married Glengarie's daughter ; and Alexander, his oye, married Readcastell's daughter. This Alexander wes the man who, both by sword and law, accomplished the acquest of Garloch from the Shelillichalum, procuireing at last from [them] a voluntar resignatione of thes four davoche and Glaslettir to him and his aires. The great relatione that the branch of McKenzie's family had to the Clanranald made a litle unforward in McKenzie's warr with Glengarrie, and therwpon some jealousies wer intertaind, which this

Alexander and all ther descendants since have obliterated by all kynd of freindship and respect.

But to returne to Johne of Kintail, who all this whill asisted his vnckle, bnt evited to medle in matters of blood on privat quarells, tho' non wes mor forward in his prince's service. He finding his vnckle Lovat's mistaik, who had tacken a precept of clare constat from James Duk of Ross, albeit the barronie of Kintail held imediatly of the King, so soone as he acquired possessione of his estate, anno 1507, the nixt yeir vent to Edinburgh and obtained from King James the 4 a chartor, with a novodamus of all his lands (the Earldome of Ross being thene in the King's hands by the death of James Stewart, Duk of Ross). This chartor, vnder the Great Seall, is dated at Edinburgh, 16 February 1508. In this chartor all his lands, viz., the 40 merks land of Kintail, 4 merk of Killin, 4 merk of Garrive, 3 merk land of Keanlochlychart and Corrievnnlie, the merk land of Garbet, the merk land of Delnatna, 4 merk land of Auchuluisk, 3 merk land of Taage, 2 merk of Keanloch Beandachar, 3 merk of Inverchoran, 3 merk of Invermeine, 4 merk of Mein, 4 merk of Escadell, are all vnited to the barrony of Kintail, and designed the barrony of Illandonan, wher seasin is to be tackin for all.

Therafter he employed himselfe in manadging his privat estate, which he did with prndenc[e] and success, neather doing nor receaveing wrong from any till the yeir 1513, at which tyme, with a competent nmber of men, he accompanied the Earl off Huntly, then Lord Leivtnnent of the north, to the vnhappie feild of Flowden vnder King James the 4, as did many others of the northern gentlemen, amongst whom wes Monro of Fonlls, sister sone to this Johne, who wes kild in the feild. Johne escaped, being of the vangnard who fought with Huntly, and haid, by ther victory over the enimies vangnard, more honor and mor safty then the rest of that vnfortnnat army. Hathorndenn wreitts wpon misinformatione that M^cKenzie wes kild ther, but he returned home and wes thereafter at Pynky feild in his old age. King James the 4 being kild at Flowden, M^cDonald, imagineing that he might at such a tyme have advantadge off Ross, gathered a number of Illanders and marched towards that province, bnt M^cKenzie gathered a nmber snfficient to have fonght him. M^cDonald had advanced the leng[t]h of Keanloch-beandachar, in Strathconan, wher, hearing of M^cKenzie's preparatiene, he burned and wasted the land ther about, and heareing that Illandonan wes neather provydit of men nor amnnitione, he resolved to quitt all other designes and aime at that place, which so oft haid defeated his prediccursors intentiones against the M^cKenzies, and indeid it wes so that at that tyme the said house wes very ill provydit, the peace that Johne M^cKenzie had with all neighbours putting him in more security then his prediccursors wer acquainted

with, or he had reasone for. Ther wes in the house as constable on Gillichrist McCray, greatgrandfather to Mr. John McCray, parson of Dingwall, whois brother, Milmoir, wes kild by McDonald at Keanlochbeandachar. At ther approach McDonald did insolently demand the honse to be rendered. Gillichrist answered that he had no intentione to give it vpe to his maister's enmy and his owin brother's murderer. But, in place of surrendering it he and his servants, being provydit of no other amunitione but bowes and arrowes, they shott from furth of the windowes, kild some, and wounded severalls. At last, all ther arrowes being spent, they perceaved McDonald draweing doune his men to come over at a litle place, wher the sea ebbs, to the Ille. Gillichrist, tho resolut to defend with defensible weapons, relying on the strength of the place ; yett he wes vext that he could not offend, and by accident he spyed vnder the table ane arrow which haid a brocken head. "I wish," said he, "that this on shott be weill bestowed." He haid his desyre, for, aimeing at McDonald, who wes at his boatsyd, walking and giveing ordors for ane approach to the house, and hitt him in the ankle, and cutting ane artery, the blood issued out with such violence, and the skill of his chyrurgions not being able to stop it, in ane hour's space thereafter he died, which so discouraged his people that imediatly they lanchted ther boats, sett sail, and directed ther course homeward. Nixt day McKenzie came ther in persuit of McDonald, but finding them gone, and informed of McDonald's death, he persewed no further, as neather willing to venter beyond defence with a convocacione of people, nor desyrous so much to invaid as to defend. This McDonald, called _____, wes of that branch which now possess Sleat, with many other lands, of whom Sir James McDonald is descendit, and wes grandchild to the Earl of Ross by his second sone, Hugh, who, since the failling of the prime root, the Earl of Ross, in the persone of John of Illa and his sone Donald, is no doubt the cheiffe of the clann, and wes ever esteemed so by neighbours, and acknowleided by all the other branches of that name till of late some, as foolishly as groundlesly, contraverted it. This family tho at that tyme retained the old hatred at McKenzie, yett shortly after they came to allyance and freindshipe togither, and evir since none of all the neighbouring cheiffes have caryed so fairly and faithfully with McKenzie as they have done, both in peace and warr. For this service King James the 5 gave to him Kinchldrnm, Achilty, and Comery in few, with Meikle Scatwall, vnder the Great Seall, anno 1528. The lands of Laggan Achidrom being 4 merk, the 3 merk of Killianan, and the 4 merk lands of Invergarry, being in the King's hand, wer disponsed by him to Johne McKenzie, after the King's minoritie and revocatione, anno 1540, vnder the Great Seall, a Precept, vnder the quarter Seall, and a Seasin therwpon by Sir Johne Robertstone, in Januar 1541.

But befor this, anno 1521, he accquired the lands of Fotterty and myln therof from Mr. John Cadell, which King James the 5 confermed to John McKenzie, at Linlithgow, anno 1522, in September.

In the yeir 1541 he fewed Brahan from King James 5 to himself, and his aires-maill, which failling, to his eldest daughter, but divisione, and all that he accquired after this wes so tacken, whither by his owin inclination or by King James 5 will, who scrupled to give any tailyes.

Anno 1542 he obtained the wast lands and forrest of Neid and Monar from King James 5, and is seased that yeir by Sir John Robertstone. In Januar 1547 he accquired a wodsett of the half of Culteleod and Drynie from on Deuoone of Davidstoune. In September that yeir, old as he wes, he vent in defence of his soveraigne, young Queen Mary, to the unfortunat batle of Pinky, being then towards yeires of adge, wher he wes tacken prisoner; and the Laird of Kilravock falling with him, he advised Kilravock that they should owin themself amongst the comons, that he should cary the quality of a yeaman, and Kilravock of a miller, which succedit weill to Killravock, who therby wes released; but Huutly, who wes also prisoner, being convoyed by the Duke of Sommervell [Somerset] to veiwe the prisoners, espying his old freind McKenzie amidst the comon prisoners, and ignorant of McKenzie's plott, called him by his name, and desyred he might have him by the hand, which civility the English officers notticed to McKenzie's disadvantage, for theuce forward he wes guarded with the other prisoners of qualitie, and released for a considerable sowme, to which all his country did friile contribut without burdineing his owin estait with it. So, returneing home, he sett himself to his privat affaires, and the year 1556 he accquired the heritable right of Culteleod and Drynie from Denoone, which wes confirmed to him be Queen Mary, vnder the Great Seall, at Invernes, 13 July 1556. In the yeir 1544 he accquired the other half of Coulteleod and Dryuie from Magnus Mowat, and thereafter from Patrick Mouat of Bugholly.

Anno 1543 John McKenzie acquired Kildins, part of Lochbroom, to himself, and Elizebeth Grant, his wyfe, holdin blench for a pennie, and confirmed that yeir be Queen Mary. All this wes in the Queen regens tyme, who haid a speciall kyndnes to this John, he being on hir husbaud King James the 5 privy counsell, and contanued so dureing hir government and lyfe, for he died in the same yeir, viz., 1561, at Inverchoran, in Strathchonan, and wes buried with his father at Bewlic. One passadge I ommitted, which wes that the Queen Regent sent some courtiers to examine the stat of the Earldome of Ross, in order to a few or constant rentalling therof. When thes

came to Fouls and Balnagowin, and to other gentlmen in the country, all possible good intertainment, according to tymes and cnstome of the counnry, wes made for them, bnt M^cKenzie, in leiu therof, vse no other fying then green wood, which smoaked then execerably in thes chimnyes, which, as the custome wes, were placed in the midst of ther halls. Ther best fare wes great cutts of beeffe, towards half or quarters of kowes, ill rosted and mor vnceanly served, and for mnsick they had ten or tnelf lace of great dogs jangling and fighting, whilk doggs did also eat and ly with ther maister. The strangers wer ill pleased, evin to afrightment, at such rudnes. At ther returne, when they gave accompt to the Queen, they praised all the gentlmen of Ross, except hir favorite, M^cKenzie, whom they represented as a miserable persone, giving accompt of ther cheare, and telling that he and his dogs did both eat and ly togither. The Queen regrated his condition with this expressione, "It is a sore pittie that so true and faithfull a man, and so wise, should not be better provydit," which moifed hir in the fewes sett by hir to give him his at a very easie rate, and with all possible ease in the redendo. This John, who wes most happie in his privat affairs, had this advantadge, that he saw his children's childrein in manly adge, for in the yeir 1538 he married his eldest sone, Kenneth, to Elizabeth Stewart, daughter to the Earl of Athole, who made him grandfather to very hopfull childrein, the great comfort of his old age.

His brethrein, Alexander, Rorie, and Mr. Kenneth, wer men very much and very deservedly respected in ther tyme. Of Alexander is descendit the family of Davoch Muluak. He and his successors have acquired a considerable fortune. Of Rorie are descendit the family of Achilty and Farburne. This Rorie wes a man of exceiding statur and strengh. On a quarrell with Dinguall, laird of Kildin, he kild him, and that night abode with his wyfe, which wes so represented to and recented by King James the 5 that his brother M^cKenzie wes forced to apprehend him and rendir him to the King ; but Rorie standing to a stiff denyall, and ther being no relevant prooff, the judges wold not condemn him, yett the King, being perswaded of his gnilt, sent him prisoner to the Bass, with strict ordors to keip him in chanes. This wes obeyed, and his armes and leggs pained extreamly. The laird of Bass had fead with some neighbour, which occasioned many rencounters and skirmishes, and oftentimes the servants came in with wounds enough. Rorie seeing this to fall out frequently, he said, "Would to God that the laird would tack me with him, and [I] should then be worth my meat to him, and serve for better vse, the[n] I doe with these chaines." Some of them told this to Bass, who ther-upon called for Rorie, and asked if he would fight weill with him. "If I doe not that," said he, "lett me hang in thes chanes." So the laird, tacking his oath not to rune

away, which he friely offerd, his chaines were tacking, and his wounds by them cured with convenient oyntments in thos tymes. He found himself in condition to fight, so ane opportunity offerd for his tryell. Bass rencountering with his adversar, this Rorie fought to admiration, and being both of high couradge and excessive force, he soone rooted the other party, wherby Bass became so enamoured of him that he nevyr thereafter vanted him out of his company wher he could secretly haue him vnknowin to the Court.

Ane Italian comeing at that tyme to Edinburgh to challeng a wrestling in strength for money, challenged the nation. On or tuo grapled with him, but with such disadvantage that thereafter nou would ingadge, which greived the King beyond measure, so that he expressed himselfe passiouatly in favours of any who would overcome the Italian. Bass wes very glad of this occasione to favour Rory, and told the King that he beleived the prisoner comitted by his Majestie to the Bass, if he wer not vndone by the irons, would, in his opinione, be able to match the challenger. Said the King, "His liberty, with reward, shall he have if he so doe." Bass did warily tack some tyme to cuire him, least his owin crim or Rorie's former liberty should be knowin. So, on ane appointed day, he brought him to Halyroodhouse to the King. The King asked him if he would vndertack to cast the Italian for his liberty. "Yea, sir," said he, "it will be a hard task that I will not undertack for that. But, sir," sayes he, "it may be it will not be so easie to performe as to vndertack, yett I shall give him a fair tryell." "Weill," said the King, "how many dayes will ye have to fitt yourself?" "Not ane houre," replied Rory. The King, animated by his resolutione, sent to ask if the Italian would presently accept the challeug. He who head found many victories easie wes still ready, doubting nought. 5 lists ar prepared. The Italian wes first in the feild, and seing Rory come without any proper accountrment, in rude habit, he laughed, but at the first grapple Rory putt him to his knee. Wherat the King cried The Italian pretending excuse, and aleidgeing some foull play, and such frivolous pretence, the King, glad of the advantage, wes vnwilling to expose to a secound hazard. "No, sir," said Rory, "lett him try it againe, for now I think I knowe his strenghe," which, being allowed, at the uixt encountir, he pulled the Italian to him, and with all his force grasping him by the midle, he brock his back, disjoynting the back bone. The poore Italian fell to the ground with intolerable paine and suitable groans, and within tuo dayes he died. This so pleased the King that he inquirt of Rory if he would abid still with him, which he foolishly refused, saying that his long imprisonment made him vnfitt for a court lyfe, and if it pleasd his Majestie to lett him goe home he would send his sone, which would be fitter to serve his Majestie. The King causit furnish him in

cloath and money, and desirit him to beast his sone to him, which he did accordinglie. His sone wes callit Murdo, with whom his maister fell in so good lyking that he keip him still about his persone, and gave him as ane earnest of greater things the lands of Farburne, Moy, and others adjacent to it, bnt Murdo being unhappily absent at his death, did miss of what mor wes designed for him.

Mr. Kenneth, the fourt sone of Kenneth Blair, nes chanter of Ross and perpetuall viccar of convent, which wiccaradge he resigned in the Pope Paulus hand in favor of the Priory of Bewly. He would not abstaine from mariadge, contrar to the ordors of the Church, wherupon the bishop intendit to depose him, but he called his brother Rory to be at Chanry on the tyme appoynted for his tryall, with a nnmber of rude people ; himself came in befor the bishope in his long gowne, bnt vnder it he had a short tno-handed sword, so drawing neir to the Bishope, who satt in his presiding chair, he whispred in his eare that it wer best to lett him alon, "For my brother Rorie," sayes he, "is in the church yaird with many ill men, and if ye tack of my ordors he will tack of your head, and I myself will not be your best freind." With that he privily showe his pen kneeff, which sight, with Rorye's being so neir and a person knowin weill enough by the bishope, did so terify him that inconteinent he caused asolie, and vindicat the good chanter, who evir thereafter enjoyed his office wunchallenged. From this Mr. Kenneth are descendit Suddie, Ord, and Inverlaoll.

To this John succedit Kenneth agnamed ni Curk for his notable dexterity in ingravineing. He maried Elizebeth Stewart, daughter to Earl of Athoil. [He] and she wer conjunctly infest in a great pairt of the estat in his father's lyftyme, anno 1543, and he wer infest on a service as aire to John, anno 1561. He did acquire, in his father's lyftyme, the kirklands of Lochbroome, and the lands and fisching of Litle Brahan from the dean and chanons of Ross, anno 1567, which disposition and chartor of thers is confirmed at Hallyroodhouse by King James the 6, anno 1587. In the yeir 1554, being in his father's lyftyme, he acquired also Kildin's half of Lochesh be disposition the 20 of November that yeir, confirmed be the Queen 24 November 1554, it holding ward. In the yeir 1547, he acquired the chaplane lands of Tollie and Kinnard from Andrew Dow, chaplain, with consent of dean and channons of Ross, and of the Queen and her regent, all which append ther seals to it, and subscribe ther consent.

This Kenneth wes a man fit both for peace and warr, bnt of so prudent a conduct that he rather prevented his enimes designs then allowed them to putt his couradge to tryall. It wes snggested that John Glassick of Garloch, sone to Hector, tutor of

Kintail, intendit to prosecut his father's unjust intentiones by clameing to the estat of Kintail. Kenneth hearing of this, sent for him, who, suspecting nothing, came to Brahan with his ordinary servants. So soone as he came, Kenneth asked some questiones relative to the said suspitione, and finding John's answers somewhat dubious, he caused presently apprehend him. A servant of Garloche's called John Kear, seing the servants lay hold on his maister, stroock with a two-handed sword at Kenneth, who, stauding neir the table, straght nimbly, els he had cleaved him, for the stroock was incredibly deep in the table, so as yee could hyd your hand edgwayes [in] it. The stroock remained in the table till Colline, Earl of Seaforth, caused cutt that peice of the table, saying that he lowed no such remembrance of quarrells to his relationes. This John Glassick wes tacken and sent to Illandonan, wher he wes kept till his death. Kenneth haid 3 sonnes, Murdo, who dyed befor him, Colline, who succedit him, and Rory of Readcastell. He had many daughters; on of them wes married to Glogarry, and, after his death, to Chisolme of Strathglass; on of them married Ballnagowin, on to M^cIntosh, on to Cromarty, on to Foulis, and on to Inverbreaky. When the Queen Mary escaped out of Lochlevin and callit her faithfull subjects to hir asistance, Huntly (who albeit he haid concurred in the Parliament held imediatly befor in her sone's name, and carryed on of the honors), changeing from the Regent's pairty, adherit to the Queen, and wes levieing the northrein shyres in order to hir asistance for certifieing her therof, he sent Coline M^cKenzie, Rory's eldest sone, befor, as a persone of whois prudence he relyed most on to intreat the Queen's retiring to Stirling for awaiting the convocation of all hir freinds and true subjects als weill in the north as south. The place being situat comodiously for such a rendiwous, ther being no pas to hinder any from comeing to it, whilst it wes the only pas that could stop the combinatione of hir enimies that wer divydit by Forth, but the Queen's fate drawing hir from so good counsell, moved specially by the French ambassador, who, seing to endeavour a peace tuixt hir and the Regent meaned nothing less perceaveing the Queen's force allready gathered to exceid the Regent's. He wes the great instrument of that fattall advyse for placeing the Queen into Doumbarton, and then to doe as they found occasione, apprehending that the Regent, vnequall in number, dared not fight them in ther way, which fell out otherwayes, for at Longsyd he overtook them, glad that the Queen haid not waited to make vnequality greater, who, getting advantadge of the ground by Argyls fitt of the epilepsy that tooke him in his march, the Queen's pairty wes defeat, severalls tacken, the rest dispersed and fled home severall wayes. M^cKenzie returned through the Highland to Huntly, and gave ane accompt [of] the defeat, yett the

northrein peopl wer resolved, under Huntlye's conduct, to have marched forward for asisting the Queens just title, and haid force enough in probability to have done so, had not the Quein putt on that vnhappy resolution of goeing to England, whence she nevir returned, nor did ever any atempt for hir cause therafter prove succesfull, so that success placed the esteem of lafulnes on the vnjuster syd ; and the loyall nobility and gentry, who, according to ther duetie and oaths of aleidgence, had sided with ther soverane, wer forced, by the insolence of the Regent, to tack remissiones for ther fidelity, as if it haid bein treasone. Amongst [the rest] Coline M^cKenzie tooock on, daited at Edinburgh the day of , vnder the Great Seall, for his being present at Longsyd fight with the Queen against the King, and comeing in counsell and rebellione with Huntly. This is the only remisione that is or evir wes in M^cKenzie's chartor cleist, and this certainly no evidence of disgrace, but a testificat of his fidelity and loyalty. The batle wes fought at Longsyd the 15 of Mey 1568, but or Coline returned, his father Kenneth dyed on the 6 of June at Killin [? Kildin], the said yeir, and is buried at Bewlie, in M^cKenzie's ille, with his father and grandfather.

To Kenneth ni Curk succceeded Coline, his eldest sone, by the death of Murdoch. He wes with the Earl of Huntly at the tyme of his father's death. On nottice wherof he came to setle his affaires, and imediatly returned to my Lord Huntly, with whom he abod till the Regent maid ane expeditione to the north ; at which tyme, contrar to all reasone and law, Huntly and adherents wer fyned to repay any damnadge they had done to any in this levy, and, in case of refusall, wer to be proceidit against as rebells. The Queen's flight haveing altogither brock hir pairty, they wer forced to submitt, and therupon all of them had remissiones past to them vnder the Great Seall. One, as is said, wes past to Coline M^cKenzie with the rest. Nor would the Regent allow on remision to be exped for Huntly as all his adherents ; but to break of ther dependence from him it wes givin to them severally, non but his domesticks being includit in his own remision. The Regent at this tyme held Court at Aberdein, Elgin, and Invernes, and tooock pleidges of the clanns, but tooock non from M^cKenzie, finding him a young man of great prudance, civill, and of all peacable tempir. After this Coline did not medle further withe publick effaires, judgeing wisly, that in a civill warr the partys are seldome so stated in ther causes, but that the on is in the wrong, and the other not in the right ; that both pairtyes doe concurr in the destructione of the whole, and albeit in ane vndoubted magistracy, duty and obligation, tack away indifference, and make newtrality criminall ; yett when the soveraignty is dubious, as it wes at this tyme, and both sydes fair in ther pretence, and violent in ther actings, they are oftymes the best patriots, and ordi-

narly most respected in the setled estate who have tackin thos retreats from injureing others, which a privat lyfe offir. On thes accountts, till King James the 6 tooke the governement in his owin hand, he nevir ingadged in any publiet transactiōne or actione, but manadged his privat intrest to such advantadge that albeit it appeir his prediccursors wer active men and advancers of ther fortunes, yet this on man did exceid any of them, and purchast more then all of them had done befor him ; for first his father haveing wodsett the half of Lochelsh from Kildin, who had, by a daughter of Alexander, sone to Celestin (carnall sonne to the Lord of the Ills), his other tuo daughters wer married, on to Glengarrie, the other to Cameron of Locheill. I say Coline, thinking a wodsett ane vnsecure title and ambulator, depending on ane other's will, and out of which a stronger or richer neighbour may still cast him by acquireing the reversione, he bought the reversione from Thomas Dinguall of Kildin, anno 1571, on the 17 of March, at Kildin.

In the yeir 1579, on the 22 of June, at Kildin, he bought also Kildin's half of Lochcaron, which Kildin had by the daughter of Alexander Celestin's sone, or, as the Irish name him, Alexander McGillespi[ck]. This charter, granted of Lochcarron be Kildin, is confirmed be King James the 6, at Halyroodhouse, 4 September 1586. In May 1587 he wodsett Glengarrie's half of Lochelsh, which Glengarrie haid also by Alexander McGillespick's daughter. The seasin givne on it 25 and 26 of Mey 1583 by John McGillichean, notar Anno 1572, on the 6 of December, at Elgin, Coline bought the half of Lochbroome from John Grant of Freughy. This confirmed by King James the 6, with consent of the Earl of Mortone, regent, at Halyroodhouse, the 20 July 1574. The other half of Lochbroom wes bought from Kildiu be John McKenzie formerly, anuo 1543, wher observe God's justice in restoring to McKenzie his just heritadge, which the Earl of Ross haid kept by violence from him for so many yeires, from the tyme of _____, anno _____, at which tyme thes lands of Lochbroome, with thes of Cogiach, did justly apperteiu to him in right of his wyfe, daughter to McAula of Lochbroom ; and now, by God's providenc[e], after the race of thes oppressors wer swept out of that earldome, thes lands fell againe to ther just owiner by a peacable acquest, and shortly after wee shall find Cogiach returne with the samen smoothnes.

All this while the church moved in changes, and the state in confusiōne, the pityfull stat of thes tymes in King James' minority all our stories doe so fully record, and ther ruthfull remembrance is as yett so _____ that it wer superfluons to meution them in this peculiar information. That which relats to my purpose is, that with

the falling of from Rome, the church rents fall from the church, ane end of the reformatione, I presume not by, but practised by many, and no wher more sacrilegiously then in Scotland, for some violently possest, others, by mor legall pretence, acquired bishopricks, abacies, priories, and other benefices, and this wes so catholickly carryed against the Catholicks, that ther [wes] no possibility to preserve any from thos in power, which made some of the mor prudent Bishopes dispose of what they could not keip to ther relationes. Off thes ther wer few, but such as wer so disposed had the farr more legall conveyance then others who purchast them only by secular titles. The Bishoprick of Ross happined in thes yeires to fall into the mauidgment of very knowing and prudent bishopes, viz., Henry St. Clair, dean of Glasgow, on of our first and best lawiers, and president of the Sessione, and John Lesly, brother to Bughaine, whois great abilities, knowin through all Europe, in his faithfull negotiationes for Queen Mary, his soveraigne, maks any charector from [me] needles.

Henry St. Clair did few the lands of Allauldaich, and some others, to Oliver St. Clair of Whytkirk, anno 1562.

John Leslie did few to Bughaine, his brother, in the yeir 1567, the lauds of Wodhead, Kinbeachie, Learn, Avoch and its milne, Ness of Chanry, and salmoud fisching, Containe, Lealdy, Kirkskeith, and Inch, with the Craigwood, the office of constabulary, with the yairds, wards, and ucadowes of the house, and 100lb, and 5 chalders wictuall out of the readiest of the Bishopes rents for constabul fie. This is disposed with consent of Dean and Chanons on the 16 of October.

In ane other charter of that dait, he disposed to the said Bughaine the tuo Radiries, Rosmarkie, Chanrie and Bishope's Shed. In ane other charter of the said dait, he dispones to the said Bughaine, Farnes, Wester Culbo, Woodhead, Cullicudin, Balmungie, milne of Rosmarkie, and lands of Kilernan. All thes three chartors arc, with consent of Dean and Chanons, chapterly conveyied, and all thes three charters are confirmed by King James the 6, with consent of his regent, the Earl of Muray, at Edinburgh, 29 November 1567.

Whilst all thes that wer medlers in the publick and minister of thes comon calamities that then afflicted the kingdome did, some on way, some aue other, purchast pairts of thes kirk lands, Coline M^cKenzie, whois privat statione denyed him thos vuhappie oportunityes of conquest, did direct himself in a more just and legall method to thes purchases; and finding the kirkmen's title the certainest security, he first bought from Oliver St. Clair of Whytkirk thes lands fewed out by Henry St. Clair, Bishop of Ross. This he did in August 1572, and obtained a very full confirmation

therof from King James 6, with consent of the Earl of Morton, regent, the 10 of July 1574. In the [yeir] 1577, on the Earl of Morton dimisione, the King called from all quarters of the kingdome thos of most note, amongst others Coline McKenzie wes; and thos that waited on him from the north, wher finding the King tuo young, and the nobles all in factione, he medled no further then to pas his securities in what he haid acquired, and makeing a new purchase of all thes lands formerly fewed by John Leslie, Bishop of Ross, to Bughain. Thes he bought from Johne Lesly, son and aire to William Lesly of Bughain, at Edinburgh, the 10 of Apryle 1577, and wysly forsieing that the vnconstant course of the law att that tyme, he brings some innovatiene as to the securities of Kirklands; he tooke Bughain obleidgit, if any such alteration wer, that aither he should refound to him the money given for thes lands, or purchase a right conform to any such alteration, which accordingly Bughain did after the act of annexatiene, albeit it could not affect thes lands; yett, for further security, Bughain purchast a dispositiione be wertew of the act of annexatiene, which the King did very friely grant on the respect he haid to Bishop Leslie's memorie. But least it should insinuat a defect in the rights which McKenzie already haid, or inferr ane innovation of the security, they tooke this new title in the person of on William Lesly of Culneldy, and he made it over to McKenzie with clausses sufficient to guard against innovation, or infringing of, for more securities saik accumulando jura jurius. On this arose a debate tuixt Coline McKenzie and the minors of Miltoun, for the Earl of Murray being Regent, did, brevi manu, posese himselfe with the Bishoprick of Ross, which he did pessima fide, haveing confirmed the fewes made by Bishop Lesly to Bughain anno 1567. But his hatred to Bishop Lesly for his fidelity to the Queen (to whom the Regent owed much more) did think nothing vnjust so it wer injurious to his adversars, and theron he put Androw Monro of Miltoune in the chamerlanery of the rent and custody of the Bishop's castell, in which possessione Androw contained and kept Bughain from his right, which wes a motive to make him the more readily queyt it to Makenzie; but McKenzie haveing acquired the just title with all the pretence that the late law superaded, he came north, demandit house and land from Androw Monro, but wes denied, and the castell garrisoned by Androw more strongly, and on John Monro of Pittonachtne made leivtennant. Fouls and the clanu of Monro owined their kinsman, but Coline, knowing the strength of his titles, did forsee that ther possessione could beare out long, yett not to be difficient to his claime, he put as great a number in the steeple as the other had in the castell. This fell out befor McKenzie acquired the rights from Bughain, for Bughain finding Monro owined by the Regents, he showed his right with the Lord

Innermeath, that by his favour with the Lords he might the better owin his titles. Innermeath died, leaving his sone a childe ; and the Lord Ruthen being his tutor, and a fr[eind] of Coline M^cKenzie's, he gave his asistance to the Lord Ruthen, who sent Captain Herrings with a band of men to concurr with Coline. All this tyme the[y] garrisoned the steep, and intronned with some of the Bishope's rents. So Coline did vndertack to keip the steeple, and Captain Herrings with his pairty to turne south. Some attempts past tuixt thos of the steep and the castell, tho to litle purpose, till the moneth of June 1572. Johne M^cKenzie, sone to Rory M^cAlister, of the family of Davochmuluack, and on John Reoch, of Loggie's family, drinking in the toun, John Reoch upbredit the other, aleidgeing that he being grandchild to Sir William Monro, would nevir act cordially against his grandmother's kin. Imediatly word comes to them that the Monroes wer gone to fisch the Ness, which is on of the debatable possessions. John M^cRorie calls to the other, "Now is ther ane oportunity offerit to try who shall daill cordially in ther cheif affair ; therfor lett us goe and beat them from the fisching." The other said that wes not his charge, but to keip the steep, and he would obey comand ; but the other vent furiously to the Ness, accompanied with nyne or ten of the shouldiers, wher some pairtyes fought manfully. John M^cRorie wes shott with a bullett through the body, but nevir knew so much till he came of the feild. On Kenneth, who wes in his company, haid aughtein arrowes in his quiver ; he shott them all, and nevir on of them wes out of some of his enimies bodies, which mainned them and rendired many of them vseless in the fight, from which the said Kenneth wes ever named Kenneth ni Saied, that is, Kenneth of the arrowes. But the M^cKenzies wer so fewe, that they haid bein slaine and overpowered hade not Robert Graham, archdean of Ross, grandfather to Alexander Grahame of Drynie, came into ther asistance, at once favouring the juster's syd, and his freind Coline M^cKenzie. Most of both syds wer woundit err the Monroes fledd, but only three of the Monroes wer kild on the spott, and tuo of the M^cKenzie, John M^cRory and Kenneth ni Saied wer both greivously woundit, but recovered and served afterwards ther cheiff to good purpose. Heirupon Miltoune came with a considerable power to revenge this rufe, but in 24 hours after him Coline came also with a power tuo great for him to resist. So the castell wes rendired on conditiones, viz., that it should be presently put in Walter Vrrquhart of Cromertye's hand, who wes brother-in-law to M^cKenzie, and M^cKenzie wes ingadgit nocht to seik possession on it for 20 dayes, in which tyme Foulis wes obleidgit for Miltoune that he should make no attempt on the house, but should only adress to Morton, then Regent, and the Lords, to knowe ther will in the matter. The Regent and Lords, on

the Lord Ruthen's accompt, comandit his passing from the possession in favours of Bughain and Innermeath, wherupon Bughain recovered that share disposed to Innermeath, and, in anno 1577, disposed all to Coline McKenzie, who all this whill kept the possession on Bughaine's accompt till he bought it himselfe, and, as I told formerly, after the annexatione, he causit Bughaine gett a new dispositione of it in the nam of on William Leslic, who accumulative . . .

[*Four pages, 41, 42, 43, and 44, wanting of the original MS.*]

on all his kirklands. And the King's calling to mynd the fidelity and service of his father, Collin, who laid not tackin a new right from Bishop David Lindsay, causit the bishop performe to Kenneth what wes promised to Colline, so the bishop gave a new chartor of all the bishop-lands to Kenneth, 1607, which the King confermed, vnder the Great Seall, that yeir, and renewed it for suplement of some defects, the fyft of Junii 1610.

Kenneth did acquire the lands of Kinnock from the Lord Elphinstoun anno 1607, and the superiority of Rasay, on Rasaye's owin resignation in the Bishop of the Illes hands, anno 1608, both which are confirmed by the King in the former chartor, anno 1610. Thes conquists of the superiority of Ardmeanoch, which is the largest half of the earldom of Ross, wer purchast to McKenzie, from Sir William Keith, by the King's speciall favour, who evidenced a royall respect to him, pairtly on his father's accompt, but cheifly on a personall kyndnes, occasioned this. The Scots Presbyterian ministers laid perswadit Queen Elizabeth that the King, perswadit by many Popish Lords, wes to bring back the Roman profession. Her ambassadors and thes ministers did, by the mean of the Earl of Bothnell's rebellione and the fanatick humour of the Lothian people, so oppose the King, and so oft raise seditious troubles, that in May 1594, in a Parliament called to that purpose, the cheiff of thes, called the Popish Lords, viz., Huntly, Erroll, and Angus, wer forfait, without forme or justice, aleidgit letters only produced as probatone, and all frivolous presumptiones tacken as evident prooffes, and in July thereafter, by the English ambassadors and the ministers t[h]reats, ther wes a necessity imposed on the King, to raise an army for persuit of thes Lords. Argyle wes commissionat Leivtennent, incited to the acceptance by the Queen of England's gold and his hatred to Huntly for his killing the Earl of Murray so inhumanly a litle before. In persuance of this comissione Argyle convocatt towards 12,000 men of his owin clauin and of the McLeanes, McNeills of Barray, McIntosh, Grants, Clangregor, and others. With thes he marched to Ruthen, in Badenoch (a house of Huntlyes), and in vaine besiedged it, then he marched towards the Popish Lords who wer in the brayes of

Balveui. Argyle having intelligence of the fewnes of ther number, judged himself stronge enough, and others assured him that Huntly dared not abyde him, so albeit Drumin, the Forbeses, Bugheyn, and the Leslies, from the south, and McKenzie, with a considerable force, the Dunbars, and other gentlemen of Murray from the north, wer convocatting, in obedience to the King, whois commaunds, so to pleas the seditious ministers, wer very pressing, wer all neir to have joyudit with him, yett consisting already off tuo great a number for the few that Huntly and Arroll haid, he vent forward against them, they as resolutly mett him at Auldchoiuachan, abow Glenlivet, and albeit he haid 12,000 foot, or therby, and Huntly did not exceid 1500, yet he rooted Argyle, kiled McNeill of Barray and many other gentlemen ou the place, and persewed tho amidst the mountaines, till most pairt of them wer scattered, only McLean marched of in some ordor, and Huntly, content with victorie on so vnequall termes, did not persew McLeau with any violence. At the tyme of this fight McKenzie wes with his 'peopl in Pluscarden, wher, having nottice of the defeat, but withall that the King wes the lenghe of Dundie in his march against Huntly, he kept a select number, sending the rest home, and with thes he waited till the King came the lenth of Strathbogy, wher he waited on him to give testimonie of his obedience, but withall did friely tell the King that they beleived Huntly, on of his best subjects, and that albeit for self defeuce he haid at that occasion oppose himself to his Majestie's yet that not long befor the Earl of Argyle had sollisted him, with others, to joyue with him and Bothuell, for the countrie's cause, against the King's Counsell, which he refused, and would, if oportunity had served, discovered to his Majestie, so that it appeired the Earl of Argyle and others, who now used his authority to ruine the Dowglas, Gordons, and Horyes [? Hays], wer no other then thos who would have asisted Bothuell's rebellione if they could have found strenth enough in themselves or willingnes in ther fellow subjects to have joyned with them. This did raise in the King a very good opinion of Kenneth McKenzie and a very great kyndnes to him, and ever after that he favoured him as ane vsefull and faithfull subject. And in March thereafter, anno 1595, he caused Sir William Keith to dispoine to him the lordship of Ardmeanoch, so to strengheu him by dependance. This by the King's favour and privat industry this gentlman prospered in his fortune, which incuradged him to very remarkable vndertacking, but willing first to secure the purchase made by his authors, he found nothing foundit on so vnsur establishment as the lands of Lochels and Lochcaron, wherof his father haid acquired rights from Glengarie and Kildin for Colline of Kintaill, haid giviu letters of reversione of Glengarie's pairt, so that McKenzie wes only a wodsetter of that share in thes, and as yet Camron of Locheill haid a third pairt of thes countries by the mariadge

of the third of Alexander McGillespick's daughters, by whois sisters Kildin and Glengarie haid the other tuo pairts, as I told formerly, a divydit possessione in contigue and intermixt lands, proweing a with contanuall feuds amongst Highlanders. McKenzie desyred to acquir Locheill's pairt, and finding a pairt of it wodsett to Glengarie, viz., Strom Castell, and other places adjacent, and all of Locheill's pairt and Glengarie's pairts, both his owin, for what title he haid to it of reversione, as lyck-ways that which he haid wodsett from Camron. I say he found all this comprysit be the laird of Grant for great sowmes, both from Glengarie and Locheill. He did, with Glengarie's consent (for Locheill, as divested and out of possessione, did not concerne himself in it), buy this right of comprysing from Grant ; but to evidence Glengarie's consent he bought first his right, title, and claim to all thes lands, and obtained procuratorie of resignation from Glengarie, elder and younger, at Elgin, on the penult of May 1606, and on the 23 of Junij thereafter he gott procuratorie of resignation from Grant be wertew of his apprysing on the saids lands, wherby being secured in all thes former accquests he directs his purpose to a greater project of acquireing the barrony of the Lewis ; and that this may be the more pleasant to the reader, I sall repeat the oldir foundationes of this estate and the clan of McLeod that inherited it.

In the year 1047, when Harald, son of Goodwin, King of England, at Stamfordbrigg, did give a great defeat to Harald Harfagir, King of Norway, a certaine comander of the Norwegians, called Godred Cronan, sone to black Harald of Island, fled to Godred, sone of Syrir, then King at Mann. This being the yeir of William the Conqueror conquest of England, Godred Syrir died, to whom succceedit his sone Fingall, who, carying vncivily to his guest Godred Cronan, forcit him to queyt the Ile abruptly without accomendations for his journey, which did so irritat him that, what by his privat power in Norway, what by his prince's allowance, he provydit a number of shipes weill maned. With thes he urrit in recentment of his wrong against Fingall, in which attempt he wes now worsted by the Manines ; but the third tyme, a litle from the port Ramsa, at the hill Scafavell, by a weell placed ambush, he rooted the Manines, and kild Fingall, ther king. The sea, filling in to Ramsa water, stopt ther retreat, so that they wer all necesitat to queyt ther country for saifty of ther lyffes ; and so choising Godred Cronan for ther king, and satisfieing his army by exposeing ther movables to the spoile, he wes established king so absolutly that all renuned ther heritadges in his and his successors favours, non thereafter dareing to acclaime any pairt of the Ile as heritable, but as the King disposed. This Prince wes victorious in all rencounters, whither with Irish or Scots, and died at Ila, having reigned twelve yeires,

beginning anno 1506 [1056], at the batle of Scacafell, and dying 1068. He left three sonnes, Lagman, Harald, and Olaus. Harald, rebelling against his brother, wes by him tacken, and is demembred of his eyes and genitals. In penauce for this cruelty, Lagman resigned his croun to his yougest brother Olaus, and vent in pilgrimadge to Jerusalem, wher he died.

Dureing Olaus' minority, the Manines choosed Donald McTada, coosigne to Murdoch O'Bria, King of Irland, to be governor, whom they shortly banished for tirany and lust. Then, in the yeir 1077, the King of Norway seut on Ingemund to be governor, who wes also kild shortly after his comeing in the Lewis by the cheiffes for his gluttony and lechery ; and on Other, elected governor in the yeir 1098. Magnus, King of Norway, son to Olaus, son to Harald Harfager, who wes beat at Stamford Bridge, did, against the advyce of his clergy and nobility, sacrilegiously inquire into the tomh of St. Olaus King and Martir, whois body wes reported to remaine incorrupted ; and the night after this racking into the martyr's sepulcher, St. Olaus appeared to him in a dream, offiring this vncleiriug alternative, viz., aither to queyt the kingdome for lyfe, or to lose lyfe and kingdome within thirty dayes. Awacking in a teror, and relating his dream, by advyce he choosing rather to lose the kingdome alone then both, wherupon he equipped a strong navy of 160 shippes. With thes he passed over to Orkeney, and swearing in fealty to his persone, he past through all the northern Illes, ingadging all to his aleadgance, till he came to Mann, wher he found all in disturbance, for Olaus, ther righteous king, wes yet a childe, Other governor : and a litle befor Magnus his arrivell, the old inhabitants, after the defeat of King Fingall, wer obleidged to live in the northern pairt of the Ille, did, in this yeir 1098, raisit a rebellie against Other, vnder the conduct of on Macmaras. They fought at St. Patrick's a cruell fight, wher most on both syds wer kild, with both the comandars, Othir and Macmaras. In this condition did Magnus, King of Norway, find them ; and seeing the goodlines of the Ille, choosed it for his seat, excluding Olaus, sone to Godred Cronan, from his right, who fled for refuge to Henry [William] Rufus, King of England. This Magnus wes a man of excessive couradge, and desyred nothing less as peace. Heiring of the plenty of Irland, he designed its conquest ; and, for procureing a quarell, he sent ane envay with his shooes to Murdoch O'Brian, desyring him to cary them (in testimonie that he recognized him as the better man) on his shoulders through his hall on Christmas day, and in veive of his nobles. The Irish nobles heard this with great disdain ; but the King Murdoch said, No, err I occassione on province of Irland to be waisted by this potent roher, he would not only cary, but he would chew his shooes ; yett this

insolent vnjust Prince, who could not find a pretence, resolved to conquer it without any, and, fitting his fleet, he vent befor to tack possesione of some convenient haven, and to weive the region. A litle vnconsiderably at some distance from his shippes, he wes circumveined by the Irish, and he with his party kilt. His body wes intered at St. Patrick's, in Donn, after he had reigned four yeires in Mann. Imediatly on his death, the Manines sent to the English Court for Olans, sone to Godred Cronan, and installed him ; he wes a peacable mann ; he maryed Africa, daughter to Fergus of Galloway, by whom he had a sone, called Godred ; by concubines he haid three sones, Regnald, Lagman, and Harald, and many daughters, on wherof wes married to Somarled, Thane or Lord of Hererquidell or Argyle, by whom he haid three sones, viz., Dowgall (of whom is McDowgall of Lorn), Regnald (of whose sone Donald the Clاندonald are descended), Angus, who died without snccessione, in Irland, and Olaus died also without snccessione, in Mann. Olaus, King of Mann, sent his sone, Godred, to Norvay to doe fealty to Ring, then King of Norvay, in whois absence the childein of Harald, second sone to Godred Cronan, came from Irland with a convocation of Irishes, and other rnnegatts ; and, presumeing on the leage and peacable lnnor of Olans, ther vnkle, then King, they desyred, with Manines, to have ane equall share of the kingdom. The peacable Olans, intending to satisfie them, the[y] mett at Ramsa to accord in the effair, wher Regnall, the second sone to Harald, with ane axe, at on strock, kild the King whilst he wes communeing with him in freindshipec, in the yeir 1142.

This Olans foundit the Abbacy of Farnes and Russin, and inriched it with severall lands in the Illes, in the yeir 1134.

Haveing this kild the King, they divyd the [kingdome] amongst them, and for further conquest invade Galloway, fearing that the Lord therof should asist his sister's sone, Godred ; but they wer defeat by thes of Galloway, so they returned to Mann, and exerced great crneltye till the yeir 1143. Godred, the sone of the murdered Olans, returned from Norway with a snfficient force, tooock thes sonnes of Harald, and demembred tuo of ther eyes and genitales, and execut Regnald the third, who kilt Olaus, the King.

In the year 1147 thes of Dublin revolted from Murdoch the king, and choosed this Godred for ther king, wher he kilt Osibiles, brother to King Murdo. Puft up with this success, he turned tyrant, and, retnrneing to Mann, he disobleidgit his cheifes. On of them, called Thorfin McOtter, fled from him to Sumerled of Argyle, and stird him and his sone Dowgall up to invade the kingdome of the Illes. They snbdued

severalls of them, wherof, when Godred had nottice, he armed a fleett, and vent in persuit of Sumerled. They mett at sea, on the night of Epphany, anno 1156, and fought till night separated them. Nixt day they drew to treaty, and accordit on ane equall divisione of the Illes, whence the ruine of the kingdome proceedit. Somerled, not content with the half (as indeed kingdomes cannot stand be halves), in the yeir 1158 he invaded the Ile of Mann, landed at Ramsa, waisted the Ile, and forced Godred to flee to Norway for aid, leaveing Somerled in possessione of the Ile, who, not content therewith, armed a fleet and invade Galloway, wher he and his sone Dougall wer kilt, with all ther army, by the Scots, anno 1164. Regnald, bastard brother to Godred, finding Somerled defeat, and his brother Godred absent, he posest himself with Mann, but, on the fourt day thereafter, Godred came with a considerable navy, [de]feated his brother Regnald, cutt of his genitals, and put out his eyes. Therafter he reigned peacably till the yeir 1176, at which tyme Vivianus, the Pope's legat, caused him to mary his wyfe Fingalo, daughter to Maclotlen sone [of] Mncartack, King of Irland. This mariadge wes promulgat by Silvanus, abbot, for befor that tyme [he] haid cohabited with hir without the churches ceremonie, and had begott on hir a sone called Regnald. After solemnity of mariadge, he begott on hir Olaus and Ivar. In the yeire 1187, Godred, King of the Illes, died 4 Ide of November, and wes bnried at the Ile of Hy. Befor his death he appoynted Olans to be his successor as lauffully begottin, but the Manines, finding Olans yonng, and judging Regnald eldest and lanfull be the subsequent matrimonie, they owne him as ther King in the yeir 1187; and in the yeir 1192 the Abbacy of Russin wes translated to Duffglas, and four yeires thereafter againe to Russin.

Anno 1204, Hugo de Lacy chased John de Cury to Mann, wher Regnald intertained him, for Curye's sone haid formerly married Africa, daughter to Godred. The nixt yeir, which wes 1205, John de Cury, with Regnald, invadit Ihster, and beseidged Rath castell, but wer defeat. Meane whill Olaus aclamed a share of the kingdome, the whole wherof wes awouched his right by ther father. Regnald did voluntarily give him the Ile of Lewis, which at that tyme wes the worst inhabited, tho' the largest of the Westren Illes. Who, tho' at first he seemed satisfied, yett addressing afterward to his brother for a larger share, he wes by him apprehendit and sent to William, King of Scotland, and freind to Regnald, who kept him as a prisoner for seven yeires till at William's death all prisoners, and Olans, with others, wer sett at liberty. He imediatly addressed himself againe to his brother Regnald, who of new gives him the Lewes, and caused him mary on Laven, daughter to a noble man in Kintyre, and sister to his own Queen, but she being coosigne-german to Olaus first wyfe, Reginandus, Bishop of the Illes,

divorced them immediately. Olaus came then to the Lewes and married Cristian, sister to Ferquhar, afterwards Earle of Ross, which did so irritate Regnald's Queen, sister to Laon, that she sent a command in his king's name to Godred, her son, who then lived in the Ile of Sky, to kill Olaus, which he prepared forthwith to obey, and landed with a force in Lewes, which Olaus not being able to resist, he fled to his brother-in-law Ferquhar, afterwards Earl of Ross. There was a chieftain in the Ile of Sky called Pole Macboke, who refused to concur with Godred against Olaus, wherefor he was forced to flee and shelter him with Olaus in Ferquhar's house, when, in the year 1223, they came in a galley to the Ile of Sky, and hearing that Godred was in St. Colm's Ile in security, they came thither under night and beset Godred. Next morning they fought valiantly on both sides, but Godred's party was overcome with number, and himself taken, his eyes and genitals taken from him against his uncle Olaus's will, by Macboke. On this many of the Western Isles sided with Olaus, and with them he invaded Mann, anno 1224, and forced Regnald to an equal division of the kingdom of the Isles at Rognowhalfe. Olaus returned to possess himself with his share, but Regnald repented his grant, and the next year, assisted with forces from Galloway, he went to repossess himself, but finding the Maninnes and other of the islanders friendly to Olaus, and unwilling to have the contract with him violated, they returned without doing any thing remarkable. At this time Allan was Lord of Galloway, and was with Regnald at this expedition. Allan's son married Regnald's daughter. Regnald was so wedded in affection to Allan, that he bestowed all his time and measure at Allan's court, which so offended the Maninnes, that they secretly sent for Olaus, whilst Regnald was in Galloway, and proclaimed him King; so in the year 1226, after that Regnald had reigned yeires, Olaus attained to that kingdom destined to him by his father. He kept it in peace two yeires. In the year 1228, Regnald, with the Lords of Galloway and Athole, invaded Mann, when Olaus with most of his Lords were in the Western Isles, and reposest Regnald, but himself returned to Galloway, leaving bailiffs to manage his affairs, but Olaus returning, chased them out, and reposest himself; but, on January following, Regnald, with five ships, invaded Mann, burned all Olaus's ships at Ragnolwatch, and, on the 14 of Februar, they fought at Tinguall, where Regnald was beat and killed, and buried at Fournes in a tomb built by himself.

In the year 1230, on Haco, sent by Haco, King of Norway, was killed by a stone out a Castel Bute, which they were besieging. Olaus did give the Ile of Lewis to his brother Regnald's son, called Godred Donud. At his first arrival to it he was killed in a tumult, so the whole kingdom returned to Olaus, who died on the 12 calends of

Junij 1237 at St. Patrick's, and is buried at Russin. He reigned elevin yeires two in Reignold's tyme, and nine after his death.

Harald, his sone, succeeded, being fourteen yeires of adge. He leived most pairt in the West Illes ; and Lognau, his coosigne, governor of Mann, who fought with clan Neill thistle by Harald at Tinguall, and killed the clan Neill, for which Lagnan wes banished Mann anno 1238. Gospatrick and Giliclunes, the King of Norway's captaines, expelled Harald, and posest the Ille to the King of Norway's behooffe, but the nixt yeir, 1239, Harald wes restored by the King of Norway to his right. He maried the King of Norway's daughter anno 1247, and returneing to Mann with hir, and many other persones of quality, they wer all drowned neir to Reaeland, anno 1249. Reignald, sone to Olaus, tooek possessione of the kingdom on the nones of May, and, on the 30 of that moneth, he wes killed by a knight called Ivar besyd the Trinity Chnreh, and wes buried at Russin.

Harald, sone to Godred Done, usurped the kingdome, but the King of Norway imprisoned him anno 1250, and declared Magnns, sone to Olaus, King, who came to Mann anno 1252, and, in the yeir 1254, he appoynted him King of all the Illes, and confirmed it to him and his aires, especially to Harald, his brother. He wes with Haco or Acho at the batle of Largs, wher the Norwegian, getting a great ovrthrow, Acho returned to Kirkwall, iu Orkney, wher he died, and Magnus to Mann, wher he died in the castell of Russin anno 1265. In the yeir 1270, on the 7 October, the fleet belonging to Alexander, King of Scots, arrived at Rognolwath, and the nixt day the Scots and Manines fought, wher the Manines wer defeat, and 535 kild of ther best men.

On which defeat a poet made this distich :—

L dies X ter et pente duo cecidere
Mannica gens de te, damna futura cave.

Alexander, King of Scots, garrisoned Russin and returned. After this the Norwegians never regained Mann, for King Alexander, by Walter Stewart and others, did immediately reduce the rest of the Western Isles, which were possessed by the Norwegians, and gave to Harald, son to Godred Donud (who was released from prison by Acho after Largs), the Isles of Lewis, and that part of the Sky which he found then in the Norwegians, possessions, viz., Vaternes, Meignanes, and the Herries, to be holden in vassallage of him and his successors, Kings of Scotland.

This Harald, after Magnus' death, was righteous successor to the kingdom of Mann,
being grandchild of Regnald and Olaus failling iu Magnus.

But ane Englishman, called William Montague, akin and grandchild, by a daughter to Godred of Mann, moved a suit in behalf of Mary, daughter to Regnald, son to Olaus, acclaiming the succession befor the King. The King did resist the suit, as not being judge over the Scots King in any matter that did not relate the countries of England belonging to the Scots, and held of the crowne of England. This of Mann, being now of thos, the bill wes cast. This Mary was married to the family of Waldebeef, in England, her nevoy, John Waldebeef, moved the samen suite against the Scots king in Parliament, the thirty-three yeir of Edward the First. This suit being on the said ground cast, Sir William Montague tooke opportunity, when the debate fell in tuixt Bothell [Baliol] and Bruce, and in that tyme did illegally, without sua much as allowance from his owin Prince, but, as Cambden sayes, with a tumultuary pairty, he invaded Mann, expelled the Scots, and tooke possession in the Ille, but thereafter King Edward gave it to his favorit Gavistoun, he, being discourted and banished, the Ille returned to Montague, then made Earl of Sarisberie, who sold it William Scroop, 1393, by whois forfeiture it returned to King Henry iv., who gave it to Percy of Northumberland, with the priviledge to cary the Lanastit sword; but Percy being kild, the King bestowit it on the Stanly Earl of De[r]by, with the lordship of Mann. So this Ille, wonne by the Scots from the Norwegians, wes as violently and more vnjustly taikin by the Englishes from the Scots, whilst he who haid the Norwegian title, viz., Harald, sone to Godred Donud, who, as I said, did taik the Ille of Lewis, Herries, Waternes, Meigimes, and others of Hebrids, in wasselladge, the King Alexander, by agriement with Magnus, son to Acho, King of Norway, who made disposition of all thes Illes conquest by King Alexander to him for 4000 merks, and a yeirly pension of 100 merks for assurance of peace. Ther past a contract of allyance tuixt Hango, sone to Magnus, and Margrat, daughter to Alexander, both in infancy, of which mariadge wes begott the maden of Norway, who, haid shee leived, wes vndoubted successor to the crowne of Scotland, and haid prevendit the mischeiffs that arose tuixt the Bruce and Bethell [Baliol]. Harald, sone to Godred Donud falling from his litle kingdom, with the Norwegian right to the Scots Illes, he wes obleidged to pey 100 merks yeirly for releive of the Scots King to the King of Norway, and at a certaine tyme of the yeir to keip two fyred beacons, on in Lewes, ane other in the Ille of Sky, for directing the Norwegian shippes in ther navigationes on thes coasts; and he held his lands of the Scots King ward and releiff, as all the other great men of Scotland did then. From this obligation of the fyrie beacons, Harald and his successors caryed in ther sheild a burneing hill

in a feild azure, whois [whereas] formerly his predicesors in Mann caryed Sol, three men's legges, Luna chaned Saturn.

To Harald succedit Leodus, his only son. He maryed Adama, daughter to Ferquhar, Earl of Ross, and by hir had Torkell and Dormeth. To Torkell, the elder, he gave the Lewes and Waternes. To Dormeth, his second sone, he gave the Herries, and his other lands in the Ille of Sky, which wes about the ffourt pairt of what he gave his eldest sone. To Torkell succeeds Hango. To Hango, Melcolumb or Macolme, whois daughter wes maryed to

McKenzie of Kintail. To Malcolm succedit , who, asisting McKenzie against Leod McGillendris, at Fealoid, did then gett possession of Cogiach, which the Earl of Ross, becaus of his relatione to him, confirmed by giving him a new chartor theron, holdin of himselfe; after that ther wer nevir any feat [feud] tuixt McLeod and the Earl of Ross, or Lords of the Illes.

To succedit Rory McKenzie [Macleod], for all of them tooek ther patronimick from Leod, sone to Harald, both thos who desceudit of Torquill, eldest sone to Leod, as thos who desendit of Dormeith, or, as the Highlanders pronounced, Tormett, heritor of the Herries.

To Rory succedit Torkill, in whois tyme the lords of the Illes wer of such power, and haid rooted themselves so in northern superiorities, that non of ther neighbours could obtaine peace or saifty without acknowledgeing them as ther Lords; and the many prejudice done by them to McKenzie so terified others that almost all, and amongst others this Torkill McLeod, did cast himself vnder patrociny to the Lord of the Illes, and to insure it, resigned his lands in the King's hands in favours of the Lords of the Illes, and therwpon the Earl disponed all the lands againe to the said Torkill, to be holdiu of him for homadge and service. This Chartor is given be Alexander of Illa at Finlagan, in Illa, the 7 of Januarii 1432. Torquill's eldest sone, called Malcolm ni Bowan, wes killed by McKyes at Tuittintavat.

To Torkill succedit Rory Oig, *i.e.* young. He entred by a kynd of precept of *clare constat*, which is vnder forme of instrument, wherby John of Illa declaires Rory McLeod air to Torkill in the lands of Lewis and Waternes, daited 3 Nouember 1464.

This Rory leived very long. To him succedit Malcolm, to whom King James the 5 gave a new chartor of Lewis, Waternes, Cogiach, and Assint, to be holden of the King ward, dated at Edinburgh, 30 June 1511. This erectes all thes in on barrony, called Lewis, the seasin to be at the castel of Stornovay.

To Macolme succedit Rory. This man wes at first of good expectation. He maryed , daughter to Kenneth McKenzie of Kintail, called Kenneth Iblair.

She was first married to McKy, and after his death to this Rory. She had come to a greater age then suited well to his youth, whereupon did shortly follow a dislyck, and from dislyck to loweing of others, whereby in short tyme he became wicked, licentious, and putting away his wyfe, aliedging a falshood, but without proces or prooffe, since they wer not grounded on any truth. He first tooke to wyfe a gentlewoman of the name of Stewart, in Orke[ney], heritrix of Burra. All this while he kept severall concubines. By wyfes and concubines he had many sones. By his first and only lawfull wyfe he had Torkill, who being fostered with his vncle, John McKenzie, at Strathconan, was agnaued Torkill Conanach. By Stewart of Burra he had a sone, whom he called Torkill. He resolved that that Torkill should succede to him. This Torkill he declared his aire, by his owne authority, and therfor he was agnaued Torkill aire. Mrs. Stewart leived short while, and after hir death he took a daughter of McLeanes, promising to make her children his successors. And in order thereto he called her sone also Torkill, who, because he was black was called Torkill Doue. She had also to him Tormett. He had bastards, as Murdo, Rory, Malcolm, Neill, Tormat and Donald. Torkill Chonanach remained still with his vncle, and disowned by his father. Notwithstanding of his promises to McLeane of making his sister childrein his successor, Torkill aire, sone to Mrs. Stewart, coming first to adge, and being of an excellent spirit and well proportioned body, was owned by Rory as his aire, and the whole tribe acknowledged him as their young cheiffe. He possessed himself with the Ile of Burra and others, more in right of his mother. At his being in Orkney he begott a daughter on a gentlewoman, whether vnder matrimoniall obligation or not is not known, but after his returne he did not owe a marriage. However, this daughter succeeded to him in the lauds of Burra and others, and was married to Stewart of Mann; by which right they have descended to his posterity.

This Torkill aire going to solemnize at Christmas with McDonald in Troternes was drowned, with the best of all his clann, on a rock of the pynt of Troternes. Others report that he was driven by the storme to the west of Assint, and landed within a loch in the Ile of Cowla Begg; he and all his company were murdered by Donald Bayne, who at that tyme, or neir to it, had entered on an unjust possession of the lands of Assint, belonging to his cheiffe, and eyeing this Torkill, and others aire, he cruelly massacred them, but with such secrecy as that it was never fully discovered, tho beleived by many on several pregnant presumptions.

Torkill aire being drowned, old Rory declares Torkill Dow, sone to McLeane's daughter, his aire. Torkill Conanach, assisted by his mother kinne and some of the

McLeod's, who wer drawin by the justice of his pretence, ledd by tuo of his bastard brethern, Tormot legach and Murdo, he invads Stornovay, and securs his father, sett such servants about him as should be faithfull to Torkill Connanache's intrest, and so for 4 yeires tyme the Lewes wes in peace, Torkill liveing in Cogiach. But the other bastards, who haid disowned Torkill Conanach, finding themselfes slighted, and Tormot and Murdo in place and favour, Donald kils Tormot basely, in revenge wherof Torkill Conanach arms, invades Stornovay, now reposest by Donald and his associats, and err they wer aware he tacks Donald, caries him with him to Cogiach ; but he escapes, returnes to Lewis, and with a company of disolut persones he invades the Castell of Stornovay, tacks it by surpyse, and in it Murdo, who haid still owined Torkill Conanach, makes him prisoner, and so puts the goverment of the Ill again into the hands of old Rory. Torkill imediatly, on intelligence heirof, armes, comes to Stornovay, finds the castell garrisoned in his father's name, but, by Donald's adyce, he tacks it after sex wieks seidge, killed many of the vallanus people who wer in it. Donald, Neill, and Rory, the bastards, stole secretly out of the hous, and escaped. Torkill settles the Lewes, secures his infatuat father, and sends for John McLeod, his owin eldest sone by Glengarrie's daughter, puts him in the possession of the isle. He wes welcomed by old Rory and all the peopl, except the three bastards and ther dissolutt adherents. Torkill retired to Cogiach, glad at last to have . . . [remainder wanting].



No. 1.



No. 2.



No. 3.

1. Colin Mackenzie of Kintail, 1585.
2. Kenneth Mackenzie of Kintail, 1597.
3. Sir Rorie Mackenzie of Coigeach, 1624.



No. 1.

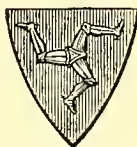


No. 2.

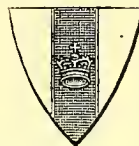
1. Sir George Mackenzie of Tarbat, 1674.
2. George Viscount of Tarbat.



No. 1.



No. 2.



No. 3.



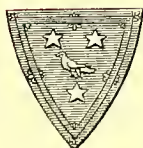
No. 4.



No. 5.



No. 6.



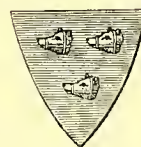
No. 7.



No. 8.



No. 9.



No. 10.

1. Mackenzie of Kintail.
2. Macleod of Lewis.
3. Erskine of Innerteill.
4. Sinclair of Mey.

5. Margaret Countess of Wemyss.
6. Gordon of Aboyne.
7. Murray of Elibank.

8. Hon. Anna Fraser.
9. Gordon of Invergordon.
10. Hon. Marjory Forbes.

Sir Rorie Mackenzie of Coigeach

No. 1.

Margaret Macleod

No. 2.

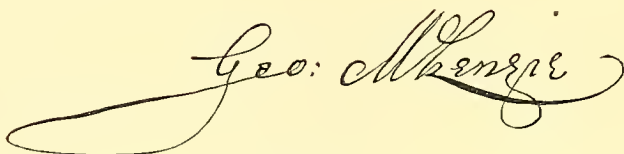
Sir John Mackenzie

No. 3.

Margaret Erskine

No. 4.

1. Sir Rorie Mackenzie of Coigeach, Knight, 1624.
2. Margaret Macleod, his wife.
3. Sir John Mackenzie of Tarbat, Baronet.
4. Margaret Erskine, his wife.

A handwritten signature in cursive script, reading "Geo. McKenzie". The signature is written in dark ink on a light background.

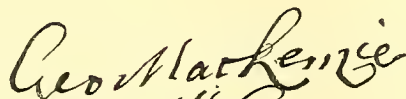
No. 1.

A handwritten signature in cursive script, reading "Tarbat Cromartie". The signature is written in dark ink on a light background.

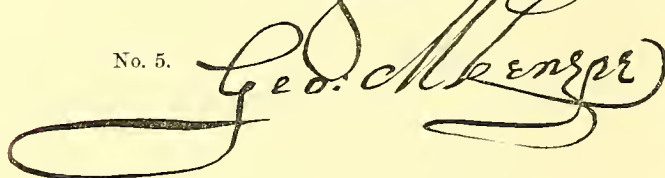
No. 2.

No. 3.

No. 4.

A handwritten signature in cursive script, reading "Geo. Mackenzie". The signature is written in dark ink on a light background.

No. 5.

A handwritten signature in cursive script, reading "Geo. McKenzie". The signature is written in dark ink on a light background.

1. Sir George Mackenzie of Tarbat.
2. George Viscount of Tarbat.
3. George first Earl of Cromartie.
4. Sir George Mackenzie of Rosehaugh, Lord Advocate.
5. Sir George M^cKenzie of Tarbat.

Anna Tarbat

No. 1.

M. Wemyss

No. 2.

M. Wemyss & Tarbat

No. 3.

1. Anna Sinclair, Viscountess of Tarbat.
2. Margaret Countess of Wemyss [Countess of Cromartie].
3. Margaret Countess of Wemyss and Viscountess of Tarbat, 1702.

John Tarbat

No. 1.

Macleod

No. 2.

Cromartie

No. 3.

Elizabeth Tarbat

No. 4.

J. Cromartie

No. 5.

- 1, 2, 3. John, Master of Tarbat, Lord Macleod, and Second Earl of Cromartie.
4. Lady Elizabeth Gordon, his wife, as Mistress of Tarbat.
5. Hon. Anne Fraser, Countess of Cromartie.

Tarbat

No. 1.

Cromartie

No. 2.

J. Cromartie

No. 3.

Macleod.

No. 4.

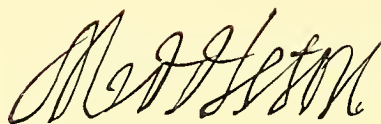
Cromartie

No. 5.

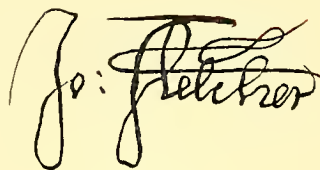
M. Macleod

No. 6.

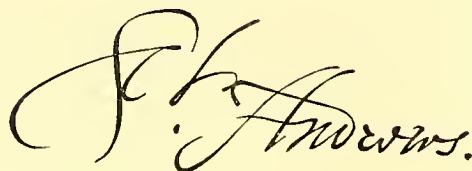
- 1, 2. George, Lord Tarbat and third Earl of Cromartie.
3. Isabella Gordon, Countess of Cromartie, his wife.
- 4, 5. John, Lord Macleod and as Earl of Cromartie.
6. Marjory Forbes, Lady Macleod.



No. 1.



No. 2.



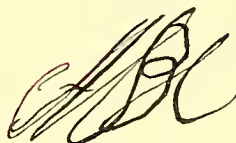
No. 3.



No. 4.



No. 5.

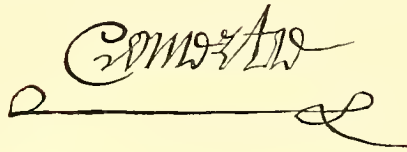


No. 6.



No. 7.

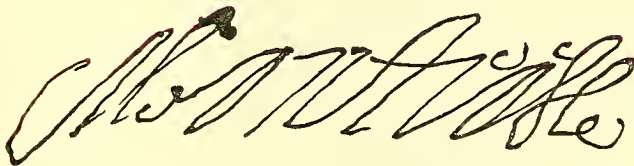
1. John first Earl of Middleton, 1662.
2. Sir John Fletcher, Lord Advocate, 1662.
3. James Sharp, Archbishop of St. Andrews, 1665.
4. James Gregoric, Professor of Mathematics, Edinburgh University, 1675.
- 5, 6, 7. Anne Duchess of Buccleuch and Lady Cornwallis, signing A. B. C.



No. 1.

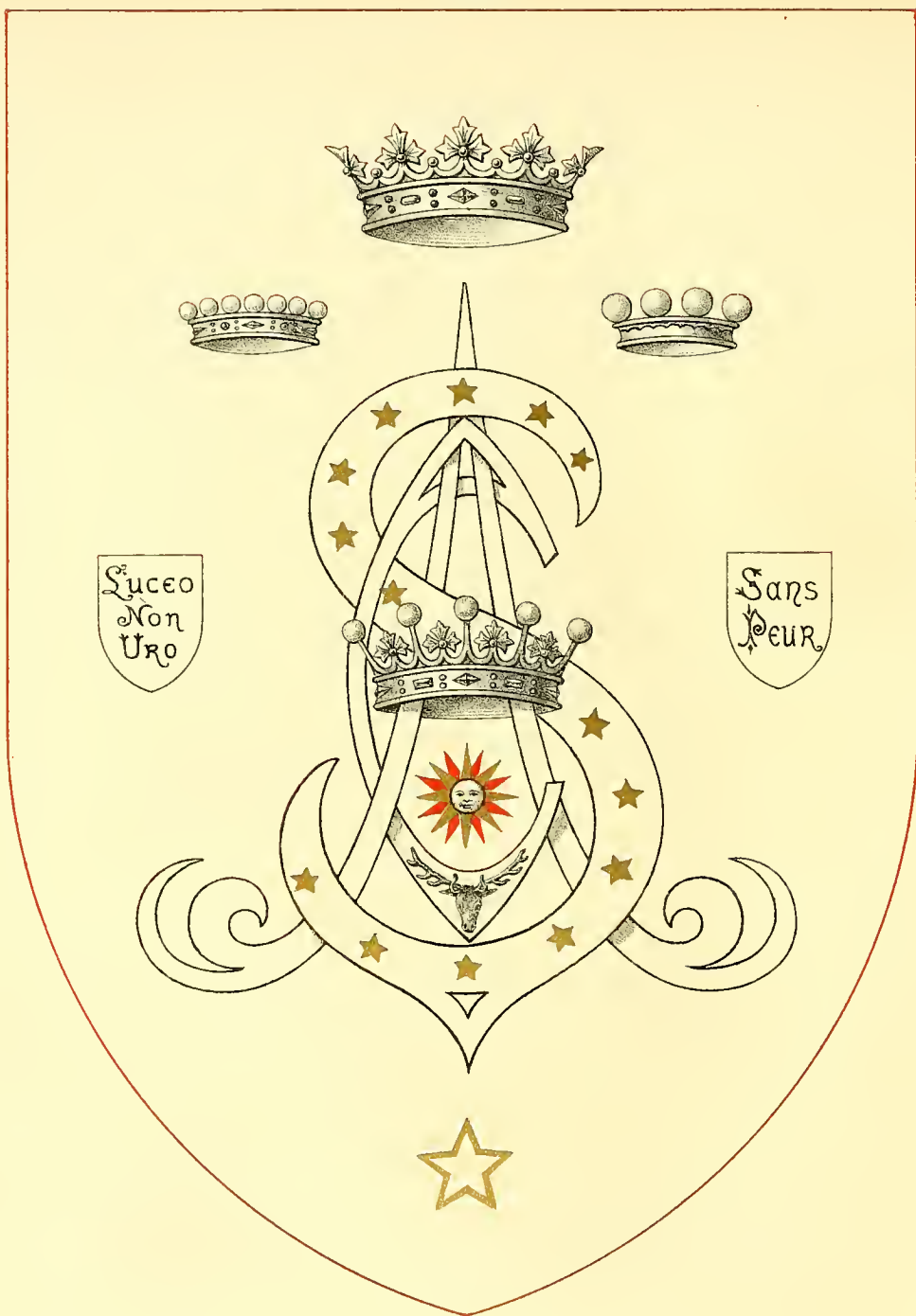


No. 2.



No. 3.

1. Sir Thomas Urquhart of Cromartie, from Original Deed at Tarbat House, dated 1608.
2. Sir Thomas Urquhart of Cromartie, from Original Deed at Tarbat House, dated 1627.
3. James second Marquis of Montrose, from Original Letter at Tarbat House, dated 1663.



Index

OF PERSONS.

- ABERBROTHOC, Bernard, Abbot of, II. 447.
 Aberdeen, George first Earl of, I. 188, 219, 225; II. 118.
 — William second Earl of. *Vide* Lord Haddo.
 — Dr. Halyburton, Bishop of, I. ccv, 165, 182; II. 95.
 — Patrick Scougal, Bishop of, II. 95.
 Aberuchill, Sir Colin Campbell, Lord, I. lxiv, 218, 220, 228.
 — Catherine Mackenzie, his wife, I. lxiv.
 — Colin, their son, II. 57.
 Aboyne, Charles Earl of, I. cciv, ccv.
 Achesoun, Sir Archibald, of Clancairnie, II. 345.
 Achintoull, Lord, II. 52, 53.
 Achleck, James, precentor of Caithness, II. 337.
 Achtifardell, Laird of, I. 214.
 Adamson, Mr., II. 254.
 Admiralty, Lords of the, I. 99.
 African Company, the, I. cxxxviii, 135, 217, 271, 290; II. 41, 45, 123.
 Airlie, James second Earl of, I. 92.
 Albany, Robert Duke of, I. xxix; II. 469.
 Aldie (Ady), Laird of, II. 145.
 — Lady, I. 95.
 Alexander the First, King, I. cxlviii, 185.
 — the Second, King, I. xiii-xvii.
 — the Third, King, I. x-xviii; II. 462, 464, 509, 510.
 — the Fourth, Pope, II. 315, 438.
 — the Sixth, Pope, II. 483.
 Alexander, Alexander, II. 53.
 — Sir William, of Menstrie, afterwards Earl of Stirling, I. lv.
 Amherst, Lord, I. cecxix; II. 253.
 Amstel, General von, II. 402.
 Anderson, Marjory, II. 341, 342.
 — Mr. John, I. exc.
 — Patrick, II. 340.
 Angus, Alexander. *Vide* Terrell.
 — William Douglas, Earl of, II. 471, 502, 503.
 Annandale, William Marquis of, I. 117, 118, 292; II. 105, 107, 164.
 Anne, Queen, I. preface i, v, cxxxviii, cxxxix, cxlv, cxlvi, clii, clx-clxv, clxxiii, clxxx, clxxxix, cxcii, cxcii, 215; II. 14, 61, 80, 115, 136-144, 275, 351-360, 376-379, 413, 421, 432, 454, 456, etc.
 Anstruther (Anster), Lord, I. 188; II. 57, 105.
 Appin, Laird of, I. 83, 223.
 — people, I. 83, 211.
 — regiment, II. 196, 197.
 Applecross, Laird of, I. clxii, 125; II. 144, 301, 302.
 Arbuthnot, Robert Viscount, I. 248.
 — John, his brother, I. 248.
 — family of, I. 115.
 Archers, the Royal Company of, I. clxxxiii-clxxxvi; II. 130, 131.
 Ardoch, Laird of, II. 300.
 — Lady, II. 300.

- Ardross, Laird of, II. 168.
- Argyll (Ergayethl, Hererquidell), Alexander, Lord of, II. 465.
- Archibald fifth Earl of, I. xxxiv, xxxv; II. 496.
- Archibald seventh Earl of, I. xlii, xliii, lvi; II. 502, 503.
- Archibald eighth Earl, Marquis of, I. lvi, lxxiv, lxxxiv, civ, 1, 5, 6.
- Archibald ninth Earl of, I. xx, lxxiv, lxxv, lxxxiv, lxxxv, cix, cx, 4-6, 31, 34-38, 40, 41, 46, 47, 62.
- Archibald tenth Earl, afterwards Duke of, I. 84, 115, 118, 185, 202.
- John Duke of, I. 244, 250, 292, 295; II. 24-26, 40, 113, 129, 162, 164, 284, 422, 455, 456.
- Jane Warburton, his second Duchess, II. 456.
- George Douglas Campbell, Duke of, I. preface xix.
- Somerled, Thane of, II. 506, 507.
- Regnald, Angus, and Olauts, sons of Somerled, II. 506.
- Dougal, son of Somerled, II. 506, 507.
- the Thane of, II. 462, 463.
- Ariosto, I. preface iii.
- Aristotle, I. lxviii.
- Arkboll (Arbo), Laird of, I. 17.
- Arkinlass, I. 33, 35, 36.
- Arlington, Earl of, I. cviii.
- Arniston, Sir James Dundas, Lord, I. xcix.
- Robert Dundas, Lord, II. 105.
- Robert Dundas of, Lord President, I. cccxxvi, cclxviii; II. 218, 222, 287, 288.
- Anne Gordon, his wife, I. cclxviii; II. 178, 218, 222-225, 257.
- Arran, James Earl of. *Vide* Duke of Hamilton.
- Arriaga, I. lxviii.
- Asseburg, Major-General, II. 411.
- Athole, Earl of, II. 465, 473, 493, 495.
- John Stuart, Earl of, I. cclviii, 185.
- John Marquis of, I. lxxxi, cix, cxiv, cxvii, cxviii, cxx, cclviii, clxxxiii, 33-41, 44, 45, 69, 70, 72, 74, 90, 91, 185, 189-191, 199.
- John Duke of, I. cclviii, ccix, 184-186, 190, 199, 200, 212, 217, 227, 233, 240, 250, 256; II. 169-171, 191, 271.
- James Duke of, II. 214.
- Lady Charlotte, his daughter, II. 242.
- John fourth Duke of, I. cclviii.
- Marjory, widow of Lord Macleod, his second wife, I. cclviii.
- John James Hugh Henry, Duke of, I. preface xix.
- Atkin, Hon. Edmond, II. 255, 256.
- Lady Anne Mackenzie, his wife, I. cccxiii; II. 213, 256.
- Atkinson, R., I. cclxviii, cclxix.
- Auchinleck, Sir George, of Balmanno, II. 345.
- Auchnacloich, Laird of, II. 145.
- Augustine, William, son of, II. 446.
- Avandale, Andrew Lord, Chancellor, I. xxxiv.
- Averrocs, I. lxviii.
- BADEN, Prince Louis of, II. 33.
- Badenoch, Laird of, I. 83.
- Baillie, Colonel, I. ccli-ccliv.
- David, I. 217, 221, 222, 236.
- Evan, of Aberiachan, II. 301.
- Hugh, I. 52, 53.
- of Jerviswoode, I. 218-221, 233.
- Mr. John, I. cccxx; II. 180, 183, 235, 236, 415, 434.
- Principal, I. lvi-lviii, lxii.
- Baine, Captain, II. 144.
- Baird, Sir David, I. cclxix, cclii, ccliii.
- Mr., II. 3, 154.
- Balbugie, II. 30.
- Balcarras, Alexander Earl of, I. xx, lxxvi.

Balcarras, Colin Earl of, I. lxxxvii, cxiv, cxvii, cxxii, cxxix, 100, 160, 188, 208, 260, 285.
 — Alexander fourth Earl of, I. cclvii.
 Balcaskie, Lord, I. 94, 95; II. 9.
 Balechan, I. 45, 46.
 Balfour, young, I. 282.
 Balgonie, Alexander Lord, I. cxlii.
 Baliol, Edward, II. 510.
 — Henry of, I. xi, xiii; II. 464.
 Balmerino, Lord, I. cccxiii, cccxvii, cccxviii; II. 214, 215.
 Balnagowan, Laird of, I. cxevi, cxcvii, cciii, 55, 63, 276-279; II. 73, 430, 468, 470, 471, 493, 496.
 Balnamoon, I. 95.
 Bannatyne, Mr. James, of Newhall, II. 345.
 Bannerman, Dr., II. 144.
 — Mr., I. 35, 36.
 — Mrs., II. 155.
 Barchan, Sir John, II. 484.
 Barclay, John of, II. 318.
 — Robert, of Ury, I. preface ib, cxii, cxiii, 32, 33.
 Barisdale, I. cexix; II. 207, 286.
 Barisdale's regiment, I. ccxv; II. 196, 384.
 Barnbaroch, Laird of, I. 172.
 Basok, Thomas, II. 325.
 Bass, Laird of, II. 493, 494.
 Bayne, Colin, I. 153.
 — Donald, I. 154-156.
 — Rory, his son, I. 154-156.
 — Donald, II. 512.
 — John, of Delny, II. 144.
 — John, of Tullich, Provost of Dingwall, II. 345-347.
 — Kenneth, bailie of Dingwall, II. 345-347.
 — Kenneth, I. liii.
 — Lieutenant Roderick, II. 24, 25.
 — Ronald, burgess of Dingwall, I. liii.
 Beaufort, Simon Fraser of. *Vide* Lord Lovat.
 Beaully (Belli Loci), Robert Prior of, II. 448.

Bedley, Lord, I. xcix.
 Belhaven, John second Lord, I. 267.
 — John third Lord, II. 164, 165.
 Bell, Hugh, I. 68.
 — Sir John, I. 180, 181, 188, 193, 194, 198.
 — Mr., I. 107.
 Bellenden, Lord, I. lxxviii.
 Bellie, Margaret, I. cccxii.
 Bellmadutby, II. 101.
 Benedict XIII., Pope, II. 321.
 Bernard, Mr., I. 116.
 Blaby, John, II. 339.
 Black, Adam, I. cccxii. cccxiii.
 Blackness, I. 256, 258.
 Blair, Sir David Hunter, I. cclxi.
 — Dorothea Hay-Mackenzie, his wife, I. cclxi.
 — Anna, I. 247.
 — Thomas, II. 340.
 Blair-Drummond, Laird of, I. 57.
 Blairhall, Lord, II. 104.
 Blakeney, General, I. ccxv, cccxxvii; II. 383, 386, 389.
 Blantyre, Lord, I. 224.
 Bocheil or Capell, Sir Richard, II. 463.
 Boethius, II. 465, 471.
 Bogle, J., I. 181.
 Boner, John, of Terrell, II. 323, 428.
 Border rebels, II. 167.
 Bortbwick, James, of Stow, I. cxli, 143.
 Bothwell, Earl of, II. 502, 503.
 Bouebier, Dr., II. 420.
 Boufflers, M., II. 76.
 Bourk (Burgh), Captain, II. 196, 200.
 Bourmaden, II. 183.
 Bowhill, Lord, II. 105, 128.
 Boyd, Sir Alexander, II. 473.
 Boyd, Robert Lord, II. 329.
 Boyle, Lord. *Vide* Earl of Glasgow.
 — John, cbaplain, II. 322.
 — Mr., I. lxx.
 Boyne, Lord, I. 237, 247, 252, 294.

- Boysack, II. 57.
 Braco, Laird of, I. 292, 312 ; II. 51, 53.
 Brae (Breay), I. 70.
 Braithwaite, Colonel, I. ccliii, ccliv.
 Bran, Sir Alexander, II. 86.
 Brand, Bailie, I. cxvi, cxvii.
 Breadalbane, John Earl of, I. cxx, cxxvi, cxxxiv, cxxxiii, 24, 25, 41, 44-47, 81, 84, 102, 103, 105, 108, 115, 117, 129, 130, 201, 202 ; II. 135.
 — Countess of, I. 130.
 Brechin, George Bishop of, Chancellor of Scotland, II. 329.
 — Patrick Bishop of, II. 321.
 Breholt, Captain, I. 290.
 Bristol, Baron. *Vide* John Duke of Argyll.
 British troops in Flanders, II. 380.
 Brodie, Laird of, I. lxiii ; II. 480.
 — Mr., I. cxxiii ; II. 412, 413.
 Brodies, the, I. 2.
 Broomhall, I. 163, 164.
 Broun, Sir George, of Coalston, I. preface viii.
 — Lady Elizabeth Mackenzie, his wife, I. preface viii.
 Brown, Dean of Guild, II. 21.
 — Sir George, I. 140, 187.
 — John, vintner, I. excviii.
 — Marshal, II. 400, 401, 407.
 Browne, Catherine, II. 121.
 Bruce, Alexander, advocate, II. 134.
 — Sir Alexander, I. 160, 164-166, 194.
 — Sir David, of Clackmannan, I. ci, 19.
 — Margaret Mackenzie, his wife, I. ci.
 — Edward, II. 465.
 — Robert, of Blairhall, I. 161.
 — Jean Preston, his wife, I. 161.
 — Sir John, of Kinross, I. 269, 288.
 — Lady Christian Leslie, his wife, I. 269, 288, 313.
 — Sir William, of Kinross, Baronet, I. 161-164 ; II. 56, 98.
 Brunswick, Prince Ferdinand of, I. ccxlv ; II. 399-411.
 Buccleuch, Francis second Earl of, I. cxliii.
 — Lady Margaret Leslie, his Countess, I. xc, cxlii, cxliii.
 — Henry Duke of, I. ccxlv.
 — Francis second Duke of, II. 267, 278, 281.
 — Lady Isabella Scott of, II. 267, 268-271, 273.
 — Lady Mary Scott, Countess of, I. lxxi, cxliii.
 — and Monmouth, Anne Duchess of, I. preface b, bi, xc, cxliii, cxliv, 71, 287 ; II. 94, 123-125, 127, 259-281.
 — James Duke of. *Vide* Monmouth.
 — and Queensberry, Walter Francis, Duke of, I. preface xix, xx ; II. 456.
 Buchan, Alexander Stewart Earl of, and Lord of Ross and Badenoch, I. preface iii ; II. 322, 323, 428.
 — David Earl of, II. 155.
 — Major-General, I. cxxvi.
 Buchanan, George, I. lv ; II. 23, 97, 464.
 — Laird of, II. 483, 489.
 Buckingham, Duke of, I. cvi.
 Buckle, John, I. cclxi.
 — Isabella Hay-Mackenzie, his wife, I. cclxi.
 Burb of Totinga, II. 468.
 Burntisland, Lord. *Vide* Sir James Wemyss.
 Burton, Mr. Hill, I. preface ix.
 Bute, James first Earl of, I. ccxvi, 256-258, 272-274 ; II. 56, 86, 101, 423.
 — Agnes Mackenzie, his Countess, II. 423.
 — James second Earl of, II. 54, 126.
 Butler, Mrs., I. ccxxii.
 Butti, J. A., II. 424.
 Byng, Sir George, II. 62.
 CADBOLL, Laird of, I. clxii.
 Cadell, John, II. 492.
 Cadogan, General, I. ccli ; II. 283.
 Caithness, Alan Earl of, II. 471.
 — Alexander ninth Earl of, II. 134, 135.

- Caithness, John eighth Earl of, I. 191.
 — Lady Mary Campbell, Countess of, I. 103-105.
 Calder, Sir James, I. 56.
 — Laird of, I. 32, 74.
 Callender, Mr., of Craigforth, II. 422.
 Calvin, John, I. clxxiii.
 Cambray, Bishop of, I. 135.
 Camden, the Historian, II. 510.
 Cameron, Donald, of Lochiel, I. cccxxviii, cccxxix; II. 380, 390, 391. *Vide* also Lochiel.
 — the elder, II. 387.
 — Dr., Aide-de-Camp to Prince Charles, I. cccxxviii; II. 387, 388.
 — Sir Ewen, of Lochiel, I. cxxv, cccxiii.
 — Ewen, II. 486.
 — of Lochiel, II. 498, 503, 504.
 — Mr. Richard, II. 50.
 Camerons, the, II. 384, 386, 390, 391.
 Campan, Arnold of, I. xi; II. 464.
 — Lord of, I. xi.
 — Walter, I. xi.
 Campbell, Hon. Archibald, I. clxxxix.
 — Captain, of Finnab, I. 222.
 — Mr. Charles, I. 46.
 — Colin, I. 295.
 — Sir Colin, Baronet. *Vide* Aberuchill.
 — Colonel, II. 162.
 — Duncan, younger of Auchinbreck, I. xxxv.
 — Mary Macleod, heiress of Harris, his wife, I. xxxiv, xxxv.
 — Dugall, in Kintyre, I. 35.
 — Dugall, of Saddell, I. 35.
 — Sir James, of Lawers, I. lxiv, 64.
 — Margaret Mackenzie, his wife, I. lxiv.
 — Sir John, of Glenorchy. *Vide* Earl of Breadalbane.
 — Mr., I. 246.
 — Lord Neil, I. 37.
 — Captain Peter, I. 295.
 Campbells, the, I. lvi; II. 205, 211.
 Candelan, Lieutenant-Colonel, II. 196.
 Cann, Mac Righ Alba, II. 441.
 Canterbury, Land, Archbishop of, I. lv.
 — Thomas Tenison, Archbishop of, I. 119.
 — John Tillotson, Archbishop of, I. preface iv, 82, 89, 90.
 Cardell, Laird of, I. 35.
 Carmichael (Carmichell), Lord, I. 106.
 Carnwath, I. 219; II. 154.
 Carpenter, General, II. 168.
 Carr, Colonel, II. 192, 198.
 — (Cerr), II. 283.
 Carrick, Adam Earl of, II. 463.
 — Duncan Lord of, I. xi.
 — John Earl of. *Vide* Robert the Second.
 — John of, Canon of Glasgow, Chancellor, II. 321.
 Carstairs, Principal, I. preface iv, cix, cx, cccxiv-cccxviii, 35, 42, 43, 102, 110-113, 121, 186; II. 47.
 Carteret, Sir G., I. 32.
 Cassillis, Earl of, I. lvi.
 Catboll (Catbo), Laird of, I. clxii, 276, 279; II. 102, 126, 433.
 Cawdor (Caldor), William, Thane of, Knight, II. 332.
 Celestin. *Vide* Gillespick.
 Cessnock, Lord, II. 105.
 Chalmer, Mr. II. 268.
 Chalmers, Mr., I. 252, 269.
 Chambers, Mr., I. cccxvi.
 Chandler, Dr., II. 225.
 Charles the First, King, I. preface i, xxii, liv, lv, lix, lxii, lxxx, xcvi, cv-cviii, clxxxvii, xciii, 5, 46, 247, 262; II. 137, 356, 456.
 — the Second, King, I. preface i, xv, lxiv, lxx, lxxii, lxxiv, lxxvii-cx, cxii, cccv, cccviii, ccxix, cccxiii, cxli, clx, clxv, xciii, 44, 93, 161, 173, 257, 296; II. 37, 72, 137, 142, 348, 350, 425, 452.

- Charles Edward Stuart, Prince, I. preface bi, xi, ccviii, ccxiii-ccxix, cccxxvi-ccxl; II. 188, 191, 192, 194-212, 379-398.
 — the Sixth, the Emperor, II. 379.
 Charlet, Dr., II. 420.
 Chesterhall, Lord. *Vide* Wedderburn.
 Chisholm, Alexander of, II. 323.
 — of Strathglas, II. 496.
 — the, II. 172.
 Clan-Ean, of Ardnamurchan, II. 478.
 Clangregor, I. xli.
 Clanranald's regiment, II. 196, 197.
 Clanranald, Captain of. *Vide* Macdonald.
 Clarendon, Hyde Earl of, Lord Chancellor, I. lxxviii, lxxxi-lxxxvi, cviii, 3, 5, 9.
 — Henry Hyde, second Earl of, I. 287, 288, 297; II. 269.
 Clarke, Captain, I. celix.
 — Lady Mary Mackenzie, his wife, I. celix.
 — Jabez Mackenzie or, their son, I. celix.
 Classin Gowe, II. 480.
 Clement the Seventh, Pope, II. 342.
 Clerk (Clericus), John, Burgess of Dingwall, II. 320.
 — Dr., II. 303.
 Clunes, John, II. 325, 340, 341.
 Clunie, Laird of, II. 290, 294.
 — Janet Fraser, his wife, II. 290, 294.
 Clyne, William of, II. 448.
 Cochrane, Lady Mary, I. 313.
 Cockburn, Sir Archibald, of Langton, II. 121, 124, 422.
 — Lord, I. preface biii.
 — Dr., II. 121.
 — Mrs. Mary, II. 125.
 Colin (Gilleoin) of the Aird, I. xv-xvii, xix.
 — (Gilleoin Og), his son, I. xv.
 — his successors, I. xv.
 Colinton, Lord. *Vide* Sir James Foulis.
 Collie, Robert, I. ccxxii.
 Colme, Mr. John, I. ccxxxiii-ccxxxv.
 Colquhoun, Sir John, of Luss, I. lxxiv.
 Colston, Lady, I. cxli.
 Colt, Sir Henry Dutton, II. 82.
 — Mr. II. 151.
 Colvill, Dr., II. 97.
 Comyne (Cumin), John, Laird of Kyudrocht, II. 321, 322.
 — Sir Richard, II. 323.
 — Walter, II. 463.
 Comyns, the, II. 465.
 Conadge, I. 24.
 Contade, Major-General Count de, II. 163, 166.
 Cook, Captain, I. ccli.
 Cooper, Mr., II. 101.
 Coote, Sir Eyre, I. cciv.
 Cope, Sir John, I. ccxiii, ccxxviii, ccxliii; II. 184, 230, 380, 381.
 — Mr., his son, I. ccxliii; II. 230.
 Corbatt (Corbart, Corbet), Donald, II. 324, 331, 332, 339, 428.
 — Margaret (Megot), his wife, II. 339.
 — John, his son, II. 339.
 — Margaret, his daughter, II. 332.
 — Major, I. 206.
 Cornwallis, Lord Charles, I. preface b, ccxxvi, 71; II. 264, 267.
 — Lady Anne. *Vide* Duchess of Buccleuch.
 Corry, II. 180.
 Cosky, David, II. 7.
 Coull, Laird of, I. clxii, cxcvii, 15, 63, 146, 156, 277; II. 144, 145, 286.
 Courey, John de, II. 507.
 Cowper, William Lord, II. 89.
 Coysine, Donald, II. 328.
 Craigivar, Laird of, I. 183.
 Cramond, I. 129.
 Cramond, Congregation of, II. 96.
 Cranston, Sir William, II. 473.
 Craufurd, David, I. 231.
 Crawford, Earl of, I. lxxviii, lxxix, lxxxii, lxxxiv, lxxxvii, cxxxi; II. 473.

- Crawford and Balcarres, Earl of, I. preface xix, xx.
- George, I. xiv.
- Crawford, David, Her Majesty's Historiographer, II. 22-24.
- Creagh, Mr., II. 196.
- Creighton, Mr., I. 186.
- CROMARTIE, SIR GEORGE MACKENZIE, VISCOUNT OF TARBAT, LORD MACLEOD AND CASTLEHAVEN, FIRST EARL OF, I. preface i-xx, xii, xiv, xvii, xxii, xxvi, xxvii, xxxi-xxxiii, xxxix, xlv, li, liii, lviii, lxii, lxiii, lxxv; Memoir, lxxv-cxciv, cxcvi, ccii, ccxi, cclx, cclxii, cclxiii, 1-184, 190-312; II. 1-158, 259-282, 348-360, 376-379, 412, 413, 416, 420, 421, 424-426, 429-433, 436, 439-443, 450-460, 462.
- Anna Sinclair, his first wife, I. lxxi, cxiii, cxl, cxli, 26, 27, 67, 69, 79, 89, 98, 109, 133, 144; II. 432, 452, 454.
- Margaret Countess of Wemyss, his second wife, I. preface b, lxix, cxlii-cxlv, cxlix-cl, clxxiv, clxxvi-clxxviii, 201, 207, 214, 224, 246, 255, 260, 269, 279-281, 285; II. 270, 432, 455, 457. *Vide* also Wemyss.
- John Lord Macleod, his eldest son, who succeeded him as second Earl.
- Sir James, his son. *Vide* Lord Royston.
- Sir Kenneth, of Cromartie, his son. *Vide* Mackenzie.
- Roderick, his son, I. cxli, cxlii, cxcv; II. 412.
- Lady Anne, his daughter, II. 125.
- Lady Elizabeth, his daughter. *Vide* Broun.
- Lady Margaret, his daughter. *Vide* Bruce.
- JOHN LORD MACLEOD AND VISCOUNT OF TARBAT, SECOND EARL OF, I. preface biii, xxxii, cxli, cxlii, clxxxiv; Memoir, cxcv-cex, ccxi, 55, 62, 109, 122, 150, 177, 276-279, 283, 284, 286; II. 144-146, 148-150, 153, 155-160, 163-179, 263, 283, 284, 425-427, 431-433.
- CROMARTIE, Lady Elizabeth Gordon, of Aboyne, first wife of John second Earl of, I. cxcv, cciv-ccvii.
- Hon. Mary Murray, of Elibank, his second wife, I. cxcv, ccviii, 150; II. 154.
- Hon. Anne Fraser of Lovat, his third wife, I. cxcv, ccix.
- James, Hugh, and Norman, his sons, I. ccix; II. 299.
- Patrick, his son, I. ccix, 286; II. 148, 183.
- Captain Roderick, his son, I. ccviii, ccxxi, cclix, cclx; II. 148, 175, 183, 248, 249, 255.
- Gideon, his son, II. 148.
- William, his son, I. ccviii; II. 148, 178.
- Lady Amelia, his daughter. *Vide* Lamont.
- Lady Helen, his daughter, II. 148.
- Lady Mary, his daughter, II. 177.
- GEORGE LORD TARBAT, THIRD EARL OF, I. preface bii, biii, x, xi, xlviii, cciii, cciv, ccviii, ccix; Memoir, cxi-cxxxv, cccxxvi-cclxviii, cclvi, cclix, cclx; II. 148, 171-184, 186-216, 222-239, 248, 249, 255, 256, 284-314, 385-398, 415, 417, 418, 422, 432, 434, 435, 437.
- Isabella Gordon, his Countess, I. preface bii, biii, cciii, cxi-cxxxv, cccxxvi, cclxviii; II. 178, 183, 184, 207, 213, 218, 220, 284, 285, 287-313.
- John Lord Macleod, their eldest son. *Vide* Lord Macleod.
- Lieutenant-Colonel George Mackenzie, their son. *Vide* Mackenzie.
- William, their son, I. ccviii.
- Lady Amelia, their daughter, cccxxix; II. 219.

- CROMARTIE, Lady Anne, their daughter. *Vide* Atkin.
 — Lady Augusta. *Vide* Murray.
 — Lady Caroline, their daughter, II. 218. *Vide* also Hunter.
 — Lady Isabella, their daughter, I. ccxxiii, ccxxxi; II. 183, 184, 213, 288, 290, 291, 293-297, 301, 302, 304, 306, 307, 310-313. *Vide* also Lady Elibank.
 — Lady Jean, their daughter, I. ccxxix, cclix; II. 219.
 — Lady Margaret, their daughter, I. ccxxix; II. 219, 234. *Vide* also Glassford.
 — Lady Mary, their daughter, I. ccxxiii, cclix; II. 213, 311. *Vide* also Clarke and Drayton.
 — Burgesses of, II. 334, 335.
 — Magistrates, etc., of, I. 52.
 — Laird of, I. 12, 24, 25, 52.
 Cromwell, Oliver, I. lxiii, lxxi, lxxii, cxciii, 163; II. 138.
 Croy, Master of, II. 466.
 Culcoy, Laird of, I. clxii.
 Culcairn, Laird of, II. ccxxviii.
 Cullen, Lord, I. 294; II. 105, 106.
 Cullrain, Laird of, I. clxii, 277.
 Cumberland, Duke of, I. ccxviii, ccxix, ccxxiii, ccxxxi; II. 206, 213, 214, 224, 382, 389, 394-397, 406.
 Cumbernauld, Lord, II. 82.
 Cumming (Cumin), Sir Alexander, II. 122.
 — Sir Richard, II. 323.
 Cunningham, Sir David, I. 204.
 — Hugh, I. 238.
 Cuthbert, James, Provost of Inverness, I. lix.
 Cutts, Lord, I. 79.
- DALGLEISH, Colin, I. 26.
 Dalkeith, James Earl of, II. 264.
 — Henrietta, his Countess, II. 267.
 — Francis Earl of, II. 456.
- Dalkeith, Lady Caroline Campbell, his Countess, II. 456.
 Dallas (Dallace), George, of St. Martins, II. 459.
 — Hugh, I. 52, 278; II. 412.
 — Mr., II. 180.
 Dalmoak, Laird of, I. 209.
 Dalrymple, Sir David, I. 93; II. 106, 155.
 — Sir James. *Vide* Viscount of Stair.
 — Sir John, I. cxvii, cxx.
 — Sir Robert, II. 155.
 Danby, Earl of, I. cviii.
 Danish troops, II. 241.
 D'Arrenberg, Duke, II. 400.
 Darnley, Lord, I. preface iii.
 Daun, Marshal, II. 402, 404-407, 409, 410.
 David the Second, King, I. xv, xvi, xviii; II. 447, 448, 466, 467, 469.
 David, John, II. 341.
 Davidson, Alexander, I. 53.
 — Donald, II. 328.
 Davochmaluak, Laird of, clxii, I. 15; II. 171.
 Dawson, Anne, I. ccxxii.
 Deir, Thomas, Abbot of, II. 322.
 Delafaye, Charles, II. 175, 176.
 Delgny, Sir Gilbert, Chaplain of, II. 322.
 Delorain, Henry Earl of, II. 264, 279.
 Dempster, George, Esquire, late of Skibo, now of Ormiston Hall, I. preface xix.
 Denoon (Denowyn, Denune, Dunnoun), David of, II. 323, 335, 336, 339, 342, 445, 446, 449.
 — Walter, II. 340.
 — of Davidstoun, II. 436, 492.
 — the Captain of, I. 35.
 — William, Minister of Pencaitland, II. 453.
 Derby, Earl of, I. cxvi; II. 510.
 Devonshire, Duke of, I. 197.
 Dickson, Sir Robert, I. 200.
 Dingwall (Dinguale, Dingvaile), Alexander, II. 333.
 — Andrew Lord, II. 429.
 — Burgesses of, II. 325.

- Dingwall, John, II. 328, 329, 333.
 — Magistrates of, I. 234.
 — Sir Thomas of, Treasurer of Caithness, Prebendary of Kilmore, and Sub-Dean of Ross; II. 325-331, 345-347.
 — Thomas, his kinsman, II. 328, 329, 331, 333, 334, 343.
 — Thomas, of Kildin, II. 498.
 — William of, Dean of Ross, II. 322.
 — William, of Kildone, II. 342, 344.
 — William, II. 333.
 Dirleton, Lord, I. 118.
 Dockrall, W., I. 33.
 Donald of the Isles. *Vide* Isles.
 Donald, son of Regnald, ancestor of the Clاندonald, II. 506.
 — Bane, I. preface ii.
 Donaldson, Ann, I. 69.
 — (Donaldi), John, II. 336, 441.
 — John, I. xxvi.
 Dongworth, Mr., II. 277-281.
 Dorrington, Major-General, I. 78.
 Dorward, Thomas, Sheriff of Inverness, I. xi; II. 464.
 Dott, Mrs., I. cccxii.
 Douglas, Archibald Duke of, I. 255; II. 164, 423.
 — Archibald, Lord, II. 423.
 — Sir Archibald of, II. 321.
 — George, I. 148.
 — James, Earl of, II. 472.
 — Lord George, I. 91.
 — Major, I. 292.
 — Mr. Robert, I. lxii, lxxx.
 — Mr., of Glenbervie, II. 154.
 — William Earl of, II. 321.
 — William of, II. 469.
 — the family of, in Sweden, I. ccxliii; II. 233, 503.
 Dove, Captain, I. cexix.
 Dow, Andrew, chaplain, II. 495.
 Drayton, Mr., I. cclix.
 Drayton, Lady Mary Mackenzie, his wife, I. cclix.
 — Thomas, their son, I. cclix.
 Dregan, Duncan, II. 344.
 Dregorne, II. 323, *read* Kyngorne.
 Drumcairne, Lord, I. 139.
 Drumlaarig, Lord, I. clxxxiii, 91, 106.
 Drummond (Drummin), II. 503.
 — Captain, I. 271.
 — Lord James, II. 191.
 — Lord John, I. cexv, cexvi, cccxxxviii, cccxxxix; II. 191, 205, 384-394.
 — Lord Louis, II. 200.
 — J., Lord of Secret Committee, I. 34, 35.
 — Mr., I. 284.
 — William, I. cxx.
 Drummore, Lord, II. 308, 310.
 Drynie, Laird of, I. 52.
 Duff of Braco. *Vide* Braco.
 Duffus, Lord, I. lxxxv, 30; II. 11, 211.
 — Kenneth Lord, I. 241-243; II. 13, 72, 77, 82, 118.
 — John, his brother, II. 82.
 — Lady, II. 2.
 Dumbarton, Earl of, I. cxviii.
 — George Earl of, I. 37, 41.
 Dumfries, Earl of, I. lxxxviii, 10.
 Dunbar, B., II. 283.
 — James, of Tarbat, I. xlvii; II. 428.
 — James, his grandson, I. xlvii.
 — James, of Hemprigs, I. xlvii.
 — James, of Boigis, I. lii.
 — Sir James, II. 75, 79.
 — John, II. 183.
 — Mr., I. 51.
 — Mrs., II. 282.
 Dunbars, the, II. 503.
 Dunblane, Robert Douglas, Bishop of, I. 165, 266.
 Duncan, Alexander, I. 181.
 — Moir, II. 480, 489.
 Dundas, Henry, afterwards Viscount Melville, I. cexlviii, cexlix, celvii; II. 256, 257.

- Dundas, Robert. *Vide* Arniston.
 — Mr. Dundas of, II. 154.
 Dundee, Viscount, I. cxxii, 62.
 Dundonald, Earl of, II. 18.
 — Countess of, I. 107.
 Dundrennan, Lord, I. preface xbi.
 Dufermline, Lord Chancellor, I. xx.
 — Charles Earl of, I. lix.
 Dunie, II. 298.
 Dunolich, I. 57.
 Dunkeld, James Nicolson, Bishop of, I. clxxxviii.
 Dunmore, Earl of, I. 298.
 Dunskeath, II. 414.
 Dunvegan, Laird of, I. lx.
 Duple, II. 13.
 Duren, I. 177.
 Dutch troops in Britain, II. 162, 166, 167, 382, 394.
- EARLE, General, II. 76.
 East India Company, I. 217.
 Easter Fearn, Laird of, II. 171-173.
 Edgar, Mr., II. 236.
 Edinburgh, David Lindsay, Bishop of, I. lviii.
 — Alexander Rose, Bishop of, I. cxlviii, 178, 179, 189, 190, 258, 259, 264, 268.
 — Dr. Young, Bishop of, II. 12.
 — the Faculty of Advocates in, I. 91.
 — Magistrates of, I. cxx, clxxxv; II. 96.
 — Lord Provost of, I. cxx.
 — Presbytery of, II. 96.
 — Royal College of Physicians at, I. clxxxvi.
 Ednample, Laird of, I. 202.
 Edward the First, King, I. preface xiii, xciii; II. 138, 446, 458.
 — the Second, II. 510.
 — Prince (Edward the Sixth), II. 451.
 Edwin, Mr., II. 182.
 Eglinton, Alexander Earl of, I. lvi, 188, 217-219, 275.
 — Alexander tenth Earl of, I. ccix.
 — Lady, I. 187.
- Elcho, David Lord. *Vide* Earl of Wemyss.
 Elibank, Alexander Lord, I. clxxiii, cciv; II. 155, 158, 159, 174, 175, 177, 178, 247, 250, 257.
 — Mary, his daughter, II. 155.
 — Patrick third Lord, I. ccviii, 286.
 — Patrick fifth Lord, I. ccxxvii; II. 175, 181, 182, 228, 245-247, 251, 253, 257-259, 450.
 — George sixth Lord, I. cclix, cclx.
 — Lady Isabella Mackenzie, his wife, I. cccxxi, cclix, cclx, cclxi. *Vide* also Cromartie.
 — Hon. Maria Murray, their daughter. *Vide* Hay-Mackenzie.
 — Hon. Isabella Murray, their daughter, I. cclx.
- Eliot, Sir Gilbert, of Minto, I. 205, 226; II. 276.
 Elizabeth, Queen of England, I. xliii; II. 502.
 Elliot, Archibald, I. lii.
 Elphinstone, Alexander fourth Lord, I. preface xib; II. 502.
 — John eighth Lord, I. 172, 173.
 — Mr., I. 88.
 — Bishop, I. 134.
 Erskine (Askyne), Sir Alexander, of Gogar, I. lv.
 — Alexander, Lord Lyon, I. 285, 286; II. 153, 154, 156.
 — Charles, of Tinwall, Lord Advocate, II. 421.
 — Sir Charles, of Cambo, I. clxxxiii, cclxiii.
 — Christian, I. cxviii, cxix.
 — David, of Dun, II. 57.
 — Sir George, Lord Innerteil, I. preface ib, lv, lxxviii, clxxxvi, cclxiii, 75; II. 345.
 — Margaret, his daughter, wife of Sir John Mackenzie of Tarbat. *Vide* Mackenzie.
 — James, of Dun, II. 57.
 — Hon. James, Lord Grange, II. 57, 104, 105, 114, 159, 160, 421.
 — Colonel John, I. 314.
 — Major, II. 13.
 — Sir Robert of, II. 321.

- Errol, Earl of, II. 502, 503.
 Erth (Airth), Sir Hugh of, II. 447.
 Eschirche, Alexander, I. xi.
 ——— Henry de, I. xi.
 Eugene, Prince, I. 248 ; II. 94.
 Eversman, Monsieur, II. 241, 244.
 Ewan, Captain, I. 234.

 FAIREURN, Andrew, I. cc.
 ——— Laird of, I. clxii, cxevi, 277 ; II. 172, 238.
 Falconer, Sir David, Lord of Secret Committee, I. 34, 35.
 Fall, Bailie, II. 165, 177, 178.
 Fanash, II. 278.
 Farquharson, Ensign, I. 211.
 Farquharsons, the, I. cexv, cexvi ; II. 383, 393.
 Farrington's regiment, II. 28.
 Fawckner, Captain, I. cexix.
 Fawkenor, Sir Everard, I. cexxxiii ; II. 213.
 Fearn, New, Adam Abbot of, II. 322.
 ——— Donald Abbot of, II. 320, 437, 448.
 ——— Finlay Abbot of, II. 332, 334.
 ——— Mark Abbot of, II. 318.
 Fenwick, II. 254.
 Ferguson, D., I. lxxxv, 52.
 ——— Mr., I. 245.
 ——— Major, I. 65.
 ——— P., II. 248.
 ——— R., I. 285.
 Ferne, Adam, II. 324.
 Fersen, Count, I. ccxliii ; II. 233.
 Fife, Duncan Earl of, I. xvi.
 ——— and Menteith, Robert Stewart, Earl of, II. 321.
 Fife Adventurers, the, I. xxxi, xxxviii.
 Findlater, Lord. *Vide* Seafield.
 Finlay, Mr., II. 233, 254.
 ——— Miss, II. 254.
 Finlayson (Filius Fynlaii), John, II. 325, 334, 335.

 Fisher, Mr., Treasurer of Heriot's Hospital, II. 125.
 ——— Samuel, I. 166.
 Fitzgerald, Colin. *Vide* Kintail.
 Fitz Thomas, John, *alias* Gerald, Baron of Offaly, II. 463, 464.
 ——— Lord Morine and Lord John, his sons, II. 463.
 Fitzursils (Vrsines), the, I. xii, II. 463.
 Fleming, Mr., I. 70.
 Fletcher, Andrew, of Saltoun, I. 77.
 ——— Sir Andrew, of Innerpeffer, II. 345.
 ——— Lieutenant-Colonel, I. cclii.
 ——— Sir John, of New Cranstoun, Lord Advocate, I. lxxviii, lxxxii, 7.
 Fodderty, Alexander Vicar of, II. 328.
 Fodergame, Sir William of, II. 323.
 Forate, Andrew, II. 334.
 Forbes, Alexander, Bailiff of Aberdeen, II. 19.
 ——— Sir Arthur, II. 310.
 ——— Captain, I. 72 ; II. 435.
 ——— Duncan, of Culloden, Lord President, I. preface bi, ix, x, cexiv, cexviii, cexxviii, cexxxvii ; II. 104, 186-190, 294, 295, 310, 396, 397.
 ——— James Lord, I. cexxxvi, celviii.
 ——— Master of, I. 70.
 ——— Mr., minister of Kilmuir, I. cxl, 138.
 ——— Mr., I. 146, 167.
 ——— Sir Samuel, II. 123.
 ——— of Craigivar, I. 183.
 ——— Arthur, his son, I. 183.
 Forbeses, the, I. lvi ; II. 503.
 Fordun, the Historian, I. preface xiii.
 Forestare, Sir William, Prebendary of Duffus, II. 322.
 Forfar, Archibald Earl of, I. 158, 202, 203.
 ——— Robina Lockhart, his Countess, I. cxlvii, 158, 159, 247, 254.
 Forglen (Forgline), Lord, I. 293, 294 ; II. 105, 107.
 Forrest, Thomas, II. 32.

- Fortrose, Lord. *Vide* Seaforth.
 — the Magistrates of, A. Speedman, bailie, etc., I. 116, 117.
 Foster, Sir Andrew, I. 241, 255-257.
 — (Froster) John, I. 279.
 Fotheringham, Patrick, younger of Pourie, I. ccix.
 — Hon. Anne Fraser, his wife, I. ccix. *Vide* also Cromartie.
 Foulter, Donald, of Meikle Allan, II. 430.
 Foulis, Sir James, of Colinton, Lord Justice-Clerk, I. lxiv-lxvi, lxxvii, 75.
 — Margaret Erskine, his wife, I. lxiv-lxvi, 75. *Vide* also Lady Mackenzie.
 — Lord Colinton, his son, I. lxiv, lxv, cxxxvi, cxxxvii, 75.
 — Laird of, I. clxii, cxevi, cxevii, 276-279; II. 73, 470, 493, 496, 500, 501.
 — the younger, II. 297.
 Fountainhall, Lord, I. 93; II. 67, 105.
 Fourbin, II. 62.
 Fowles, James, I. ccxlix.
 France, the Court of, II. 210, 243.
 — King of, I. 148; II. 61, 62, 76.
 Francis, William, II. 446.
 Fraser, Alexander Mackenzie, of Frasedale, I. lxiii; II. 283.
 — Amelia, his wife, daughter of Hugh Lord Lovat, I. lxiii, 124.
 — Hugh, his son, I. lxiii.
 — Alexander, son of Simon Lord Lovat, II. 311.
 — Anne, I. ccxxii.
 — Captain, I. 124; II. 268. *Vide* also Simon Lord Lovat.
 — Colonel, I. lxi.
 — Donald, II. 288-290.
 — Dr., of Auchnagavin, II. 294, 299, 301-303, 306, 307.
 — George, Regent of King's College, I. lxx, 133-135, 182, 183; II. 95, 96.
 — Hugh, of Culbockie, I. l.
 — John, I. 211.
 Fraser, Sir James, I. lx. lxi.
 — James, of Auchnagairne, II. 429.
 — (Fressaill), Paul, Dean of Ross, II. 342.
 — Sandy, II. 220.
 — General Simon, son of Lord Lovat, I. ccxiv, ccxlv-ccxlvii, ccxlix; II. 294, 297, 305, 311, 313, 384.
 — Thomas, of Strichen, I. li, lix.
 — Thomas, of Gortuleg, II. 301, 307, 312.
 — of Bonchrabin, II. 308.
 Fraser's regiment, II. 196.
 Frasers, the, I. lvi, lxii; II. 195, 207, 313, 384, 397.
 Frederick the Great, I. ccxlv, ccxlvii; II. 399-411.
 Freeland, Mrs., II. 229.
 French troops in Scotland, I. ccxv; II. 384, 385, 394.
 Fullarton, John, I. 180, 181.
 Furnace, Sir Harry, I. 247.
 Furnall, II. 276, 277.
 GALLOWAY, Alan Lord of, II. 508.
 — Alexander sixth Earl of, I. xxii.
 — Archibald of, II. 469.
 — James fifth Earl of, I. 171, 172, 246.
 Garden, John, II. 184, 232.
 Gareloch, M'Leod, Laird of, II. 489.
 — — Mackenzie, his wife, II. 489.
 — Laird of, I. clxii, cxxxiii, 150; II. 148.
 Garlies (Gerless), Lord, II. 294.
 Gates, Mr., II. 264.
 Gaveston, II. 510.
 Gebye, William, II. 336.
 Geolle, William, II. 342.
 George the First, King, I. preface i, xx, ccxxvi; II. 159, 166.
 — the Second, King, I. xx, ccxxvi, ccxxviii, ccxli; II. 379, 394, 456.
 — Caroline, his Queen, II. 456.
 — the Third, King, I. ccxxviii, ccxlv, ccxlii-ccxlix, ccl.

- Germain, Lord George, I. cclxviii, ccli.
 Gervas, John, chaplain, II. 339.
 Gibson, Sir Alexander, of Adiestoun, II. 349.
 — Sir Alexander, of Durie, II. 345.
 — (Gyboun), David, II. 335, 336.
 — (Gylberti), John, II. 336, 341, 342.
 — Mr., I. 93 ; II. 94.
 Gilchrist, Dugald, factor to William Earl of Sutherland, I. cccxi.
 Gilclunes, II. 509.
 Gillespick (Celestin, Glestin), brother to John of the Isles, II. 439, 478-481, 498.
 — Alexander, his son. *Vide* McGillespick.
 Gilmour, Sir John, Lord President, I. lxxvii, xci, xcvii.
 Ginckel, General, I. 79.
 Glammis (Glammys), Patrick Lord, II. 329.
 — Patrick Lord, afterwards Earl of Strathmore, I. 94, 95.
 Glas (Glassick), John, son of Hector Mackenzie, tutor of Kintail, II. 489, 495, 496.
 — Alexander, his son, II. 489, 490.
 Glasgow, Alexander Burnet, Archbishop of, I. lxxxvii, cv-cvii, cxvi, 12.
 — David Earl of, I. 168, 231, 232, 302 ; II. 15, 67, 101.
 — James Earl of, I. cclxi.
 — Georgina Hay-Mackenzie, his Countess, I. cclxi.
 — Episcopal people in, I. 193.
 — Robert Leighton, Archbishop of, I. 19, 20.
 — Major, II. 205.
 — Magistrates of, I. 194.
 — John Paterson, Archbishop of, I. cxiv, cxlvi, 159, 164-166, 178-181, 193-195, 207, 208, 214, 258, 259, 263, 264, 268, 269, 274, 275.
 — Alexander, his son, I. 260, 268, 274.
 — Provost of, I. 188.
 — General Assembly in 1638 at, I. lvi. lvii.
 — and Ayr, Synod of, I. 160.
 Glassford, John, of Dougalston, I. cclix.
 Glassford, Lady Margaret Mackenzie, his wife, I. cclix.
 — James, their son, I. cclix.
 — Isabella and Euphemia, their daughters, I. cclix.
 Glastullich, Laird of, II. 314.
 Glenbucket's battalion, I. cccvii ; II. 191, 192.
 Glencairn, William Earl of, I. cxlvi, 9.
 — John Earl of, I. lxvii-lxxii, lxxvii, lxxix, lxxxii, lxxxv, xciii, xcvii-xcix, 204.
 Glencoe men, I. 83.
 Glenderuel, Laird of, I. 201, 202, 250 ; II. 27.
 Glengarry, Laird of, I. xxx, xxxi, xlii, lx, lxxiii, cxxxiii, 41, 83, 210, 223, 226, 228, 235 ; II. 170, 286, 289, 496, 498, 503, 504.
 — regiment, II. 196, 197, 208, 212, 213.
 Glengyle (Glanguile), Laird of, II. 194, 195.
Vide also MacGregor.
 Glenmoriston, Laird of, I. 124.
 Glenorchy, Lord, II. 5.
 Goddard, Richard, I. 157.
 Godolphin, Sidney Lord, I. preface ib, b, clviii, 33, 35, 239-241 ; II. 27, 90, 99, 108, 147, 148.
 Goodricke, Sir John, I. cccxlv.
 Gordon, Adam, I. cccxiii.
 — Captain, I. 235.
 — C., II. 22.
 — Charles, son of Sir William, II. 182, 183, 287.
 — Dr., II. 299.
 — Dr. J., I. 49-52.
 — Elizabeth Duchess of, I. 79, 80.
 — George Duke of, I. cxi, cxviii, cciv, 41, 83, 109 ; II. 98.
 — Hugh, of Carroll, I. cccxi, cccxiii.
 — James, son of Lord Achintoull, II. 53.
 — Rev. James, II. 79-81.
 — Sir John, I. preface x, ccli, cclxviii, cclvii ; II. 186, 215, 216, 218, 222, 223, 228, 246, 255, 257.

- Gordon, Joseph, W.S., I. cexlviii.
 — Lady, II. 257.
 — Lord Lewis, II. 386, 388.
 — Mr., I. 232 ; II. 121, 416.
 — Mr., innkeeper at Brechin, II. 221.
 — Mr. Robert, I. 193.
 — William, I. 249.
 — Sir William, of Invergordon, Baronet, I. cciii, cexi, cexxvii, cexxxvii, cexlviii ; II. 176, 177, 182, 183, 287, 288.
 — — Henderson of Fordell, his wife, I. cexxxvii, cexlviii ; II. 178.
 — Anne, his daughter. *Vide* Arniston.
 — Isabella, his daughter. *Vide* Cromartie.
 Gormeson, Donald, I. xxxvii.
 Gorry, Mr., Commissary of Ross, I. cexxxii ; II. 220, 221, 237.
 — Mrs., II. 220.
 Gorthie, I. 224.
 Gospatrick, II. 509.
 Gosford, Lord. *Vide* Wedderburn.
 Gowrie, Earl of, I. exc, exciii ; II. 136, 138, 139.
 Grabow, General, II. 410.
 Grafton, Duke of, I. cexxvi.
 Graham, Captain, I. cxx, cxxi.
 — George, younger of Inchbrakie, II. 452.
 — Margaret Nicoll, his wife, II. 452.
 Grahame, Alexander, of Drynie, II. 501.
 — Mr., I. 31, 167, 208 ; II. 264.
 — Mr., minister of Dunfermline, I. 188.
 — Mr. William, II. 110, 111.
 Grange, Lord. *Vide* Erskine.
 Grant, Alexander Grant of, II. 168.
 — Anne, I. cexxii.
 — Colonel, II. 393.
 — Sir James, I. 80.
 — Laird of, I. 75 ; II. 415, 504.
 — Major Lewis, II. 220.
 — John, of Grant and Frenchie, I. xxv ; II. 498.
 Grants, the, I. lvi.
 Grant's regiment, I. 62, 73 ; II. 79.
 Gray, David, vicar, II. 344.
 — Sir Donald, chaplain, II. 324.
 — Donald, II. 340.
 — Sir John, chaplain of Balkuy, II. 322.
 — Mr., I. 87.
 — Thomas, vicar of Kylmorak, II. 344.
 — Sir William, chaplain of Dingwall, II. 322.
 — William, II. 327.
 Greenock, Laird of, I. cxx.
 Greenshields, Mr., II. 103, 113.
 Gregorie, Dr. David, Professor of Mathematics, I. 80-82, 100 ; II. 420.
 — Professor James, I. lxxvi, clxxxvii, 20-23.
 Gregory the Ninth, Pope, II. 315.
 Griffin, II. 83.
 Griffiths (Grifish), II. 274, 275.
 Grotius, Hugo, I. clix ; II. 38.
 Gruinard, II. 149.
 Guiche, Duke de, II. 162.
 Gun, John, of Braemore, I. cexxi.
 — Lieutenant, I. clii.
 Gunn, Mr., I. preface xix.
 Gustavus Adolphus, I. cxvi.
 HADDINGTON, John Earl of, I. xci.
 Haddo, George Lord, I. clxvii, 187, 217, 219, 220, 298 ; II. 86, 118, 119, 282.
 — William Lord, afterwards second Earl of Aberdeen, I. 289.
 — Lady Mary Leslie, his wife, I. 289.
 Haleraig, Lord, I. 188.
 Haldane, Patrick, of Gleneagles, II. 160.
 Hallyards, young, I. 282.
 Hamilton, James first Duke of, I. lvii, lxii.
 — James fourth Duke of, I. 107, 108, 218, 219, 222 ; II. 73-75, 79, 129, 261.
 — William third Duke of, I. civ, cxxiii, cxxxi, 88 ; II. 261.

- Hamilton, Sir Andrew, of Redhouse, II. 345.
 — Baron, Chancellor of Sweden, II. 233.
 — Captain, I. ccl.
 — Dr., I. 224, 258.
 — Lord Basil, I. 147.
 — Lord George, I. 79.
 — Sir John, of Magdeldands, II. 347.
 — Major-General Baron, I. cexliii; II. 233, 236, 240, 244.
 — Major-General, I. 78.
 — Mr., of Bancriffie, II. 154.
 — Mr., II. 155, 238.
 — William, Professor of Divinity, I. 186; II. 96, 98.
 Hardwicke, Lord Chancellor, I. cccxiii; II. 214, 215.
 Harley, Mr. Secretary, I. 240.
 Harold, son of Godwin, II. 504.
 — Black, of Iceland, II. 504.
 Harper, Hugh, II. 320.
 Harrington, Lord, II. 215, 217.
 Hastings, the Hon. Warren, I. cclv.
 Hawley (Halley), General, I. cexvi, cccxxxix; II. 389, 391, 394.
 Hawthornden, Laird of, II. 490.
 Hay, Sir Alexander, of Fostersait, II. 345.
 — Colonel, II. 160.
 — Father, I. cxxi.
 — Sir George, of Kinfauns, II. 345.
 — Sir Gilbert of, II. 447.
 — J., I. 181.
 — Sir James, I. 100, 148.
 — John of, II. 448.
 — Mr., I. 123.
 — Sir Robert, II. 162.
 Hay-Mackenzie, Edward, of Newhall and Cromartie, I. cclx, cclxi.
 — Hon. Maria Murray, of Cromartie, his wife, I. xxviii, cclx, cclxi, cclxiv.
 — Dorothea, their daughter. *Vide* Hunter-Blair.
 — Isabella, their daughter. *Vide* Buckle.
 Hay-Mackenzie, Georgina, their daughter. *Vide* Earl of Glasgow.
 — John, of Cromartie and Newhall, I. cclxi.
 — Anne Gibson-Craig, his wife, I. cclxi.
 — Anne, their daughter, Countess of Cromartie. *Vide* Duchess of Sutherland.
 Hedges, Sir Charles, I. 245, 250.
 Henderson, Sir Robert, of Fordell, Baronet, II. 423.
 — Isabella Stuart, widow of George Mackenzie of Farnese, his wife, II. 423.
 — Sir John, their son, II. 423.
 — Miss, of Fordell. *Vide* Gordon.
 Henry the Fourth, King of England, II. 510.
 — the Eighth, King, II. 434, 451.
 Henrye, son of Hector Birrach, ancestor of the Slight-Henrick or Henry's race, II. 466.
 Henryson, Walter, II. 452.
 — Walter, his son, II. 452.
 — Thomas, II. 452.
 Henrysoun, Thomas, of Chester, II. 345.
 Herrings, Captain, II. 501.
 Hertford, Earl of, II. 451.
 Hesse, Prince of, I. 79.
 Hessian troops in Scotland, II. 394.
 Hill, Colonel John, I. 58, 59, 64, 72-74, 82, 83, 108, 124, 125.
 Hilton, I. 232.
 Hodges, Mr., I. ccli.
 Holinshed, II. 471.
 Holstable, Major-General, I. 79.
 Home, Charles sixth Earl of, I. 188, 203, 204, 219.
 — James third Earl of, I. lvi.
 — Countess of, I. 312.
 — Commissary, I. 183.
 Hood, Admiral Sir Samuel, I. xxii.
 — Lady. *Vide* Hon. Mary Frederica Elizabeth Mackenzie.
 Hope, Charles Lord, II. 254.
 — Sir Thomas, Lord Advocate, II. 456.
 Houston, Laird of, I. cxx.

- Houston, Mr. William, I. 157.
 Hughes, Admiral Sir Edward, I. ccl.
 Humberstone, Colonel Thomas Frederick Mackenzie. *Vide* Seaforth.
 Humble, Lord, I. lxi.
 Hume, Lord, I. 141.
 — Sir Patrick, of Polwarth, I. cxxxii.
 Hungary, Maria Theresia, Queen of, II. 379.
 Hunter, Walter, of Polmood, I. cclix.
 — Lady Caroline Mackenzie, his wife, I. cclix.
 Huntly, Alexander first Earl of, II. 329.
 — Alexander third Earl of, I. xxviii; II. 482, 490.
 — Alexander Earl of, afterwards second Duke of Gordon, I. 41.
 — George first Marquis of, I. xxxix; II. 502, 503.
 — George second Earl of, II. 482.
 — George fourth Earl of, II. 492.
 — George fifth Earl of, II. 496, 497.
 Hyde, Lord Chancellor. *Vide* Clarendon.
 Hyder Ali, I. ccli-cclvi.
 Hyndford, Earl of, II. 143.
 IBACK, Josias, I. cli, clxxvii.
 Inchefur, Robert, son of John Lord of, II. 331.
 Inglis, Sir John, II. 108.
 — Mr., II. 219, 221.
 Innermeath, Lord, II. 501, 502.
 Innerteil, Lord. *Vide* Erskine.
 Innes, Sir Harry, I. ccxviii.
 — Mr., I. xxviii; II. 71, 275.
 — Sir Robert, II. 425, 429, 435.
 — Sir Walter of, II. 448.
 Inneses, the, I. lvi.
 Innocent the Eighth, Pope, II. 343.
 Inverbreaky, Laird of, II. 496.
 Invercauld, Laird of, II. 298.
 Invercharron, Laird of, I. 55.
 Inverlochy, Laird of, I. 108.
 Inverness Company of Merchants, II. 149.
 Inverness, Galfrid Sures, burgess of, II. 446.
 — John vicar of, II. 446.
 Ireland, dissenting ministers in, I. 263, 268.
 — Lord Lieutenant of, I. 3.
 — Macartack, King of, II. 507.
 — Maclothen, his son, II. 507.
 Irish Brigade, II. 191.
 — Troops, II. 167.
 Irwines, the, I. lvi.
 Islay (Yla), Lord, II. 104, 129, 181.
 Isles, Bishop of the, I. xlvi; II. 502.
 — Donald (Tiernoge) of the, son of John of Illa, II. 475, 482.
 — Donald of the, II. 465-467, 469, 471, 473.
 — Euphemia of Ross, his wife, II. 469, 471.
 — Donald (Baleach), their son, II. 471-473.
 — Donald, son of Alexander de Ilis of Lochalsh, II. 342, 343.
 — John, Lord of the (Johaunes de Yle). *Vide* Earl of Ross.
 — Reginandus, Bishop of the, II. 507.
 JAMES THE FIRST, King of Scotland, I. cxlviii, 185; II. 471, 472.
 — the Second, King of Scotland, I. cxlviii, 185; II. 328, 472.
 — the Third, King of Scotland, I. preface iii, xiv, 296; II. 51, 473-475, 482.
 — the Fourth, King of Scotland, I. preface ii, iii, xix, xxviii; II. 482, 483, 490, 511.
 — the Fifth, King of Scotland, I. xix, xxiv, xxix; II. 491-494.
 — the Sixth, King of Scotland, I. xx, xxix, xlii, xlv, liv, lv, clxxxvii, cxc, cxciii, 170, 171; II. 136, 139, 427, 440, 495, 498-500, 502, 503.
 — Anne of Denmark, his Queen, I. 171.
 — the Seventh, King of Scotland, I. xx, cv, cix-cxxvii, clxxxi, cci, 211; II. 144, 194, 348, 350, 422, 427. *Vide* also Duke of York.

- Jedburgh (Jedbrugh), William Lord. *Vide* Marquis of Lothian.
- Jenkinson, Right Hon. Charles (Earl of Liverpool), I. ccliv, cclv.
- Jennings, Mr., II. 233.
- Mrs., II. 254.
- Jerviswoode, Laird of. *Vide* Baillie.
- Joannes, I. 49.
- Joass, Rev. Dr., Golspie, I. preface xviii.
- Johnskin, David, merchant in Edinburgh, II. 452.
- James, his son, II. 452.
- Johnson (Joannis), David, II. 336.
- Magnus, II. 535.
- Robert, Laird of Inchefure, II. 331.
- Dr. Samuel, preface ii.
- William, II. 336.
- Johnston (Johnstoun), Alexander (Sandy), II. 253.
- Mr. Secretary, I. cxxxvi-cxxxix, 118, 121, 147, 240.
- Mr. William, I. 223; II. 78.
- KEAR, John, II. 496.
- Keith, Field-Marshal the Hon. James, I. cexliii, cexliv; II. 222, 232, 242, 244, 245, 401-411.
- John of, Laird of Innerugie, II. 322.
- Lieutenant-Colonel, I. 211.
- Lord, I. 114, 115.
- Bishop Robert, I. cevi-cviii.
- Sir Robert of, II. 447.
- William, I. 213.
- Sir William, II. 502, 503.
- Kellie, Thomas, Earl of, I. preface ib, lv, clxxvii, 75.
- Alexander, Earl of, I. 285.
- Earl of Mar and. *Vide* Mar.
- Kennay, Laird of, I. 220.
- Kemp, Donald, bailie of Dingwall, II. 345.
- Kendall, George, II. 272.
- Kenmure, Lord, I. 188.
- Kenneth ni Saied, II. 501.
- Kent, II. 75.
- Keppoch, Laird of, I. 41, 73, 83, 226.
- Ker, Lord Mark, II. 82.
- Kettle, Laird of, I. lxxii.
- Key, Mr., I. 87.
- Keyle, Alexander, II. 472.
- Kidwells, Robert, I. cxlix.
- Kileoy, Laird of, II. 180, 290.
- Kildare, Earl of, II. 462, 463.
- Kildin, Dingwall, Laird of, II. 493, 495, 498, 503, 504.
- (Kildun), Mackenzie, Laird of, I. xxxix.
- Killearnan, heritors of, II. 309.
- Kilmarnock, William fourth Earl of, I. cexvii, cexxiii, cexxvii, cexxviii; II. 214, 396.
- William third Earl of, I. 223.
- Kilravock, Laird of, I. clxii, 278, 279; II. 73, 101, 104, 106, 107, 492. *Vide* also Rose.
- Kilsyth, William third Viscount, I. 216.
- Kincardine, Earl of, I. 292.
- Kinerage, Laird of, II. 98.
- Kingston, Alexander Viscount, II. 454.
- James third Viscount, II. 160, 161.
- Lady Anne Lindsay, his wife, II. 160, 161.
- Kingussie (Kincowsie), Laird of, II. 95.
- Kinloss, Abbot of, II. 316.
- Kinnaird (Kinhaired), I. 69, 70, 72, 74, 90.
- Kinnaries, Mrs., I. 246.
- Kinnoul, George seventh Earl of, II. 160.
- Colonel Hay, his son, II. 160.
- Kinross, Charles, II. 121.
- KINTAIL, COLIN FITZGERALD (HIBERNUS) OF, I. x-xii, xiv, xvi-xix; II. 462-465, 472.
- KENNETH OF, HIS SON, I. xix; II. 464.
- Morva M'Coull of Lorne, his wife, II. 465.
- KENNETH M'KENNETH (MACKENZIE) OF, their son, II. 465.
- KENNETH (NI STROIN) OF, I. xviii, xix; II. 466, 469.

- KINTAIL, Fynvola Macleod of Lewis, his wife, II. 466.
- Hector Birrach of Drumnamarge, natural son of Kenneth (ni Stroin), II. 466, 475.
- Heleu Logan (Loban), his wife, II. 466.
- Sewill (Dearghuilach), natural son of Kenneth (ni Stroin), II. 466, 475.
- Alexander, natural son of Kenneth (ni Stroin), ancestor of the Clan Murchievor, II. 466.
- MURDO (DOW) OF, son of Kenneth (ni Stroin), I. xviii, xix. ; II. 466-469, 498.
- Isabel MacAula, his wife, II. 467, 498.
- MURDOCH (NI TROIT) OF, II. 469-472.
- Fingalla Macleod of Herries, his wife, II. 469.
- ALEXANDER OF, their son, xix ; II. 469, 472-478, 481-483, 489.
- Ann M'Coull of Lorne, his first wife, II. 473.
- Margaret M'Coull of Morar, his second wife, II. 473, 483.
- Duncan, son of Alexander, II. 473, 479, 483, 484.
- Hector, son of Alexander, Tutor of, II. 473, 483-489, 496.
- Dougall, natural son of Alexander, II. 475.
- SIR KENNETH (IVLAIR) OF, son of Alexander, xix ; II. 473, 475-484, 495.
- Anue Fraser of Lovat, his second wife, II. 477, 482, 484, 487.
- Kenneth Oig, his son, II. 477, 481, 483, 484, 488, 489.
- Alexander, son of Sir Kenneth, ancestor of the family of Davachmaluak, II. 482, 493.
- Rorie, son of Sir Kenneth, ancestor of the family of Fairburn, II. 482, 493-495.
- Murdo, his son, II. 495.
- Mr. Kenneth, Prior of Beaulay, son of Sir Kenneth, ancestor of the family of Saddy, Ord, etc., II. 482, 493, 495.
- KINTAIL, JOHN OF, son of Sir Kenneth, I. xix, xxxiii ; II. 436, 482, 484-495, 498, 512.
- Elizabeth (Isabella ?) Grant, his wife, I. xix, xxxiii ; II. 492.
- KENNETH (NI CURK) OF, their son, II. 493, 495, 496, 497.
- Elizabeth Stewart, his wife, II. 493, 495.
- Murdo, their son, II. 496, 497.
- Roderick, of Redcastle, their son, II. 496.
- Colin, son of Roderick, II. 496, 497.
- COLIN OF, son of Kenneth, I. xviii, xxv, xxxii ; II. 436, 476, 496-503.
- Barbara Grant, his wife, I. xxv.
- KENNETH, FIRST LORD MACKENZIE OF, I. xviii-xx, xxiii, xxv, xxx, xxxi, xxxv, xxxviii, xxxix, xlviii ; II. 436, 437, 440, 441, 475, 502.
- COLIN, SECOND LORD MACKENZIE OF. *Vide* Earl of Seaforth.
- Kircher, Athanasius, I. lxxvi.
- Kitray, Laird of, I. 211.
- Knockbane, Laird of, II. 144.
- Kuox, John, I. xcxi.
- Koningsek, General, II. 399, 400.
- Kyugorne, William of, II. 323.
- Kyon, Lieutenant-General, I. ccxlv ; II. 399.
- LABUSSIERRE, M., I. preface b.
- Lacy, Hugo de, II. 507.
- Laing (Leng), Watt, II. 274, 276, 277, 279.
- Lallo's regiment, II. 25.
- Lamb, John, I. ccxxii.
- Lamont, Archibald Lamont of, I. ccix.
- Lady Amelia Mackenzie, his wife, I. ccix.
- Lange, Sir Henry, chaplain, II. 324.
- Laugford, Earl of, I. 64.
- Langtoun (Lantoun), I. 100 ; II. 124.
- Largo, Lady, I. cxxxvii.
- Lauderdale, Charles Earl of, I. clxxxv.

- Lauderdale, John Duke of, I. lxxvii-lxxix, lxxxii-xcviii, ci-cix, cxlvii, 11, 19, 30, 163; II. 143.
 ——— Duchess of, I. c-cii, 19, 120, 121.
 ——— John fifth Earl of, I. 120, 121, 298; II. 105.
 Lavalette, Monsieur, I. ccv.
 Lawers, Laird of, I. lxii, 170.
 Legat (Legath), John, II. 325, 449.
 ——— Thomas, II. 325.
 ——— Thomas, bailie of Cromartie, II. 334.
 ——— Thomas, of Outeruck, II. 335.
 Lennox and Richmond, Charles Duke of, I. lxxxviii, xcii, clx, clxi, 107, 167.
 Leod (Leodus). *Vide* King of Man.
 Leslie (Lesly), Abraham, of Fendrassie, II. 413.
 ——— Alexander Count, I. 131.
 ——— Elizabeth. *Vide* Sinclair.
 ——— James, I. 130, 131.
 ——— James, Count, I. 131.
 ——— Lady Margaret. *Vide* Buccleuch.
 ——— Lieutenant, I. 211.
 ——— Patrick Count, I. 131, 173, 174.
 ——— William, I. 173.
 ——— William, of Balquhain (Bughain), II. 499, 500, 502, 503.
 ——— John, his son, II. 500.
 ——— William, of Culneldy, II. 500.
 Leslies, the, II. 503.
 Leven, Alexander first Earl of, I. cxlii.
 ——— David third Earl of, I. cxxix, clvii, 71, 79, 307, 308; II. 56, 101, 127, 129, 268, 270, 274.
 ——— Anne Countess of, I. cxlv, cli.
 Levi, Chevalier de, II. 248.
 Lexington, Lord, I. 108.
 Leys, William, II. 339.
 Lichtoun, Sir Thomas of, Canon of Moray, II. 318.
 Lind, Bailie, I. 292, 294.
 Lindores, John Lord, I. 188, 196.
 ——— Patrick Lord, I. cxli.
 Lindores, Elizabeth Leslie, his daughter. *Vide* Sinclair.
 Lindsay, David, I. 245.
 ——— James, I. lxxiii, 69.
 ——— Hon. John, I. cxclix.
 ——— Lieutenant, I. cclii.
 Linlithgow (Lithco), George Earl of, I. clxxxiii, 76, 90, 106.
 Livingstone (Livingstoun), Captain, I. lxxiii.
 ——— Sir Thomas. *Vide* Teviot.
 ——— Hon. William. *Vide* Kilsyth.
 ——— Sir William, of Kilsyth, II. 345.
 Loch, James, Esquire, M.P., I. preface xbii, cxxxi.
 ——— George, Esquire, Q.C., I. preface xbii, xbiii.
 Lochgarry, Laird of, II. 210.
 Lochiel, Cameron, Laird of, I. xxxix, 40, 41, 62, 73, 82, 83, 184, 211, 223; II. 286, 293, 298. *Vide* also Cameron.
 ——— Cameron, younger of, I. cxxiii, cxxvi.
 Lochslyne, Lady, I. 282.
 Lockhart, George, of Carnwath, I. clxxx.
 ——— Sir George, I. cxiv.
 ——— Sir James, of Lee, I. xci.
 ——— John, I. 8.
 ——— Mr. William, I. cxx.
 ——— Sir William, Solicitor-General, I. cxcvii.
 Logan, Andrew, of Restalrig, II. 452.
 ——— Robert, of Restalrig, I. cxc.
 London, Henry Comptou, Bishop of, I. 166, 178, 179, 194, 195; II. 116, 117.
 Lorne, Lord. *Vide* Argyll.
 Lorraine, Prince Charles of, II. 400, 401, 403, 404, 406-409.
 Lothian, Robert first Marquis of, I. 118, 186.
 ——— William Lord Jedburgh, second Marquis of, I. 186, 187.
 ——— William third Earl of, I. lvi, lvii, 6.
 Loudon, Hugh third Earl of, I. 290-292, 308; II. 8, 13, 15, 19.

- London, John fourth Earl of, I. cexiv, cexv, cexvii-cexix ; II. 193, 195, 197, 198, 202-206, 208, 213, 386, 388, 396, 397.
- Robert of, II. 463.
- Lovat, Hugh second Lord, II. 477, 480.
- Thomas third Lord, II. 484, 486, 488, 489.
- Hugh ninth Lord, I. lxiv.
- Anne Mackenzie, his wife, I. lxiv.
- Simon of Beaufort, Lord, I. preface vi-ix, xlviii, xlix, lxiii, ccii, cexii, cexiii, cexiv, cexlvi, 206, 213, 243, 251 ; II. 281-314, 414, 437. *Vide* also Captain Fraser.
- Simon, his son. *Vide* Fraser.
- Sibilla (Sibie), his daughter, II. 297, 306, 309.
- Hugh tenth Lord, I. lxiii, lxiv, cxxxi, ccix, 69, 70, 72, 74, 75, 90.
- Lady Amelia Murray, his wife, II. 169.
- Hon. Amelia Fraser, their daughter. *Vide* Mackenzie Fraser.
- Hon. Anne Fraser, their daughter. *Vide* Cromartie.
- family, II. 178, 307.
- Simon, Lord, I. li.
- Lucesi, General, II. 402.
- Luffness, Laird of, II. 165.
- Lumley, Lord, I. cxvi.
- M'ALISTER, Rory, II. 501.
- M'Anereoch, Eivir, II. 344.
- Macarthur, Duncan, I. cxxviii.
- Macartney (M'Kartney), Colonel, I. 234.
- Macartney's regiment, II. 25.
- MacAula of Lochbroom, II. 467, 468, 498.
- Macaulay, Governor of Ellan Donan, II. 466, 467.
- Lord, I. cvii.
- Zachary, I. xxxix, xl.
- MacBoke, Pole, II. 508.
- MacBean, John, I. cciv ; II. 183.
- Macbeth, King of Scotland, Thane of Cromartie (Crumbathy), I. preface ii, xiii ; II. 443, 444.
- M'Coilyer, Murdo, in Ochterneid, I. 153.
- M'Colgan, John, Minister of Bracadale, I. xxxvii.
- M'Cray, Gillichrist, II. 491.
- Milmoir, his brother, II. 491.
- John, parson of Dingwall, II. 491.
- M'Coul of Lorn, II. 465, 466.
- M'Culloch (Makeculloch), Angus. *Vide* Terrell.
- Angus, of Pladdis, II. 337, 339.
- Jo., I. 298.
- John, of Pladdis, II. 334.
- John, I. cexxii.
- Mr., II. 73, 101.
- Mr., factor to Sir George Mackenzie of Cromartie, II. 416, 418.
- Macdonald (M'Donald, M'Donnell), Sir Alexander, I. cexviii ; II. 293, 397.
- Donald Gorm, of Sleat, I. xxiv, xli.
- Donald, of Benbecula, I. 48, 49.
- Donald, of Moydart, Captain of Clanranald, I. cxxxiii, 15, 30, 31.
- Donald, II. 344.
- Donald, and eleven other Macdonalds, I. 27-29.
- Sir Donald, of Sleat, I. xxxii, xlv, 27, 28, 128, 129, 132, 133, 184.
- Donald fifth Baron of Sleat, II. 490, 491.
- Sir Donald, I. cxxxiii.
- Hugh, of Sleat, II. 491.
- Sir James, of Sleat, Baronet, I. xli, li, 15, 17, 27, 28 ; II. 491.
- Margaret Mackenzie, his wife, I. li, lii.
- Lady Margaret, II. 293.
- Mr., of Glencoe, II. 386.
- Macdonalds of Clanranald, I. cexv, cexviii ; II. 380, 383.
- of Glencoe, I. cexv ; II. 380, 383.
- of Glengarry, I. xxxii, cexv ; II. 380, 383.
- of Keppoch, II. 380.

- Macdonalds of Moydart, II. 478.
 — the, I. lvi, 62, 83.
 M'Dougall, Allan, of Cregainch, I. 58, 60.
 — Allan, of Soroba, I. 58, 60.
 — Alex., of Kilmurie, I. 58.
 — Alexander, of Barnabok, I. 58.
 — Alex., of Corilorne, I. 58, 60.
 — Alex., Tutor to Gallanich, I. 58, 60.
 — A., uncle to Ardincaple, I. 58.
 — Col., Tutor of Ardincaple, I. 58, 60.
 — Duncan, of Kneipoch, I. 57, 58, 60.
 — Hew, of Barnabok, I. 58, 60.
 — J., of Dunolich, I. 57, 58, 60.
 — Jo., of Ardmor, I. 58, 60.
 — Jo., Dunaich, I. 58, 60.
 M'Dugal, family of, in Sweden, I. cexliii; II. 233.
 M'Farlane, John, I. 48.
 Macgill, Colonel, I. 272.
 M'Gillendris, Leod, II. 466, 511.
 — Paul, his son, II. 467, 468.
 M'Gilleoin, Colin, son of Lachlan, bailiff of Mull, II. 332.
 M'Gillespick, Alexander, II. 481, 498, 504.
 — Colin, I. xli.
 M'Gillichean, John, notary, II. 498.
 M'Gilliechrist, Donald Dow, II. 488.
 M'Gillecarrych, Christine, II. 344.
 — Murchard, II. 344.
 M'Goyre, John, of Wlua, II. 332.
 Macgregor of Glengyle, I. cexxxvii; II. 38.
 Macgregors, the, II. 192, 397.
 M'Henry, Rev. Hugh, I. 157.
 M'Intosh, Laird of, I. lx, 41; II. 292, 294, 296, 297, 395, 483, 496.
 — Lauchlan, I. lx.
 Mackintoshes, the, I. lvi, cexv, cexvi; II. 383, 393, 502.
 M'Inferson, Thomas, II. 337.
 M'Iver, Murdo, I. l.
 Mackay (Makky, Makaye), Anneta, wife of Finlay Michaelson. *Vide* Michaelson.
 Mackay, Christian, I. cccxxii.
 — Colonel Eneas, I. cxcvii, 109, 110, 123.
 — Major-General Hugh, I. cxxx, cxxxi, cxcvi, cxcvii, 61-63.
 — Captain Hugh, I. 80.
 — John, I. clxxxii.
 — Lieutenant, I. cccx-cxxxii.
 — Odo, I. xxix.
 — Major Robert, I. 78, 79, 85, 86, 108, 109.
 Mackays, the, I. lvi.
 MACKENZIE (MACCHAINNICH, M'CANICH, MACCHENNIE, M'KENZIE), Agnes, I. xxxiii.
 — Alexander of Kintail. *Vide* Kintail.
 — Alexander, of Ballone, son of Sir Rorie Mackenzie, I. l, lii.
 — Alexander, his son, I. l.
 — Jean, his daughter, wife of Simon Mackenzie, I. l.
 — Alexander, of Ardloch, son of Sir John of Tarbat, I. lxiv; II. 419.
 — Alexander, of Culcowy, I. lii.
 — Alexander, of Fraserdale. *Vide* Mackenzie Fraser.
 — Alexander, of Gareloch, I. lxiv.
 — Barbara, his wife, daughter of Sir John Mackenzie, I. lxiv.
 — Alexander, of Gareloch, I. l; II. 230.
 — Alexander, brother of Sir Rorie, I. xxxi.
 — Alexander, bailie of Dingwall, II. 246.
 — Alexander, of Saintfield, I. preface xbii.
 — Alexander, of Woodside, I. preface xlii.
 — Captain Alexander, II. 398.
 — Colonel Alexander, I. xl; II. 156, 173.
 — Lieutenant A. G., I. cclii.
 — Lieutenant-Colonel Sir Alexander, II. 419.
 — Lady Amelia, daughter of John second Earl of Cromartie. *Vide* Cromartie.
 — Lady Amelia, daughter of George third Earl of Cromartie. *Vide* Cromartie.
 — Anne, daughter of Sir John, of Tarbat. *Vide* Lovat.

- MACKENZIE, Lady Anne, daughter of George third Earl of Cromartie. *Vide* Atkin.
- Lady Anne, daughter of George first Earl of Cromartie. *Vide* Cromartie.
- Barbara, niece of George first Earl of Cromartie, II. 51. 52.
- Mary, her sister, II. 52.
- Bernard, Bishop, II. 414.
- Captain, I. 144.
- Captain, of Findon, I. preface xbiii, I.
- Captain, brother of Applecross, II. 308.
- Lady Caroline, daughter of George third Earl of Cromartie. *Vide* Cromartie.
- Catherine, daughter of Sir John, of Tarbat. *Vide* Abernchill.
- Charles, son of Sir Roderick, I. I, lii.
- Colin, of Kintail. *Vide* Kintail.
- Colin second Lord. *Vide* Earl of Seaforth.
- Hon. Colin, I. preface xii, cxxxiii.
- Colin, of Tarvey, I. I, lii, lxi.
- Barbara, his wife, widow of John, of Lochsline, I. I.
- Colin, his son, II. 25.
- Colin, of Kinnoek, I. lii.
- Colin, of Dalkoig, I. xiv.
- Colin, Advocate, son of Mackenzie of Coul, I. 146, 156.
- Colin, Chamberlain to Lord Tarbat, natural son of Alexander, of Ballone, I. I.
- Colin, W.S., I. preface xbiii.
- Daniel, I. 287.
- Donald, Lord, I. preface xbi.
- Dr., I. 144; II. 20, 144.
- Duncan, son of Hector of Wester Fairburne, I. lii.
- Elizabeth, daughter of Lord Prestonhall. *Vide* Prestonhall.
- Francis Humberstone. *Vide* Seaforth.
- SIR GEORGE, OF TARBAT. *Vide* EARL OF CROMARTIE.
- MACKENZIE, Sir George, of Rosehaugh, Lord Advocate, I. preface xb-xbii, lxiv, lxviii, lxxvii, lxxx, xcii, xevi, cxvii, cxxxii, clxii, 34, 127, 216; II. 55, 56, 71, 422-424, 459.
- Margaret Halyburton, his wife, I. lxiv. *Vide also* Prestonhall.
- Agnes, their daughter. *Vide* Bute.
- Elizabeth, their daughter. *Vide* Royston.
- SIR GEORGE, OF GRANDVALE AND CROMARTIE, BARONET, II. 413, 414; Memoir, 415-418, 422, 455.
- Elizabeth Reid, his wife, II. 418, 422.
- George, son of Lord Prestonhall. *Vide* Prestonhall.
- Dr. George, the Historian, I. preface xii, xxxix, lxxvi, lxxxvii, clxxiii, cxc; II. 433, 440.
- George, of Inchcoulter, I. preface xbii, 153, 157; II. 144, 146, 283.
- George, Clerk of Exchequer, I. 58.
- George, of Farnese, son of Lord Royston, II. 105, 107, 126, 421, 423.
- George, nephew of Rosehaugh, I. 127.
- Isabella Stewart, his wife, II. 423.
- George, of Kildin, II. 345-347.
- George, nephew of Lord Macleod, I. cclvi.
- George, Lord Cromartie's servant, I. cxxxii.
- Sir George Stewart, of Coul, II. 438.
- Lieutenant-Colonel George, son of George third Earl of Cromartie, I. cxxxii, cclxv, cclxix, ccl, cclvi, cclix; II. 218, 219, 255, 297, 301, 312.
- George Falconer, of Allangrange, I. preface xiii, xxiii.
- Gideon, son of John Earl of Cromartie. *Vide* Cromartie.
- Hector, I. preface xiii.
- Hector, I. xiv, 21.
- Hector, of Wester Fairburne, I. lii.
- Hon. Mrs. Hay, of Cromartie. *Vide* Hay-Mackenzie.

- MACKENZIE, Lady Helen, daughter of John Earl of Cromartie. *Vide* Cromartie.
- Hugh, son of John Earl of Cromartie, I. ccix, ccxxxi.
- Isabel, daughter of Sir John. *Vide* Seaforth.
- Lady Isabella, afterwards Lady Elibank, daughter of George third Earl of Cromartie. *Vide* Cromartie and Elibank.
- Sir James John Randall, I. 1.
- Sir James. *Vide* Lord Royston.
- James, son of John Earl of Cromartie. *Vide* Cromartie.
- James, son of Sir Roderick, I. 1, lii, lxi.
- James, son of Sir John, I. lxiv.
- Jane, I. 97, 98.
- Janet, wife of Roderick Macleod. *Vide* Macleod.
- Lady Jean, daughter of George third Earl of Cromartie. *Vide* Cromartie.
- Jean, daughter of Murdoch, Bishop of Orkney. *Vide* Orkney.
- SIR JOHN, OF TARBAT, I. preface x, xxx, xlix-lii, Memoir, liv-lxvi, lxvii, cxli, cclxii; II. 356-358, 413, 419, 425, 429, 436.
- Margaret Erskine, his wife, I. preface ib, lv, lxiv-lxxii, clviii, cclxiii, 75; II. 426, 431.
- Alexander, of Ardloch and Kinellan, their son, I. lxiv; II. 419.
- Sir George, their eldest son. *Vide* Earl of Cromartie.
- John, their son, I. lxiii.
- James, their son, I. lxiv.
- Kenneth, their son, I. lxiv.
- Roderick, their son. *Vide* Lord Prestonhall.
- Anne, Barbara, Catherine, Isabel, and Margaret, their daughters, I. lxiv.
- Hon. John, of Lochsline, I. 1.
- Barbara, his wife, I. 1.
- Hon. John, of Assint, I. 67.
- MACKENZIE, John, of Kintail. *Vide* Kintail.
- John, Archdean of Ross, natural son of Sir Roderick, I. 1, lii.
- Rorie, Colin, Kenneth, George, Alexander, and James, his sons, I. 1.
- Sir John, of Conl, II. 146, 171-173.
- Lady Helen, his wife, II. 171-173.
- John, of Applecross, I. preface xliii, 1.
- John, of Ord, I. liii.
- John, of Fairburne, I. preface xlii, li.
- John, of Meddat, I. cccxxix, cccxxx, cccxxxii, cccxlv, cccxlvii; II. 179, 218-222, 230-232, 234, 236-239, 246, 247, 418, 434.
- Mrs., his wife, II. 219-222, 230, 232, 239, 247.
- John, II. 148, 149.
- John, I. 93, 95-97, 109, 132, 284, 285; II. 74.
- John, of Kildonan, I. 134.
- John, son of Sir John, of Tarbat, I. lxiii.
- John, Commissary-depute of Ross, II. 466, 475.
- John, writer in Edinburgh, II. 466.
- John, son of Rory M'Alister, II. 501.
- John Whitefoord, W.S., I. preface xii.
- Joshna Henry, Lord, I. preface xvi.
- Katharine, I. preface xvii.
- Kenneth first Lord. *Vide* Kintail.
- Kenneth, of Kintail. *Vide* Kintail.
- HON. SIR KENNETH, OF GRANDVALE AND CROMARTIE, BARONET, I. lxx, cxli, cxlii, cclxv, cclviii, 147, 156, 200, 220; II. 355-359, Memoir, 412-415, 419, 450.
- Anne Campbell, his wife, II. 414.
- George, their son, who succeeded.
- Colin, James, Campbell, Gerard, their sons, II. 414.
- Kenneth, their son, succeeded his brother George.
- Margaret, their daughter, II. 414-418.
- Catherine, their daughter, wife of Dr. Adam Murray, II. 414.

- MACKENZIE, SIR KENNETH, THIRD BARONET OF CROMARTIE, II. 412, 414, 418, Memoir, 419, 422.
- Captain Kenneth, of Cromartie, I. cclviii-cclx; II. 435.
- Jane Petley, his wife, I. cclx.
- Kenneth, of Gairloch, lxi.
- Kenneth, of Inverlawl, I. l.
- Kenneth, I. 127, 154.
- Kenneth, of Scatwell, son of Sir Roderick, I. xlix, li, lii.
- Janet Ross, his wife, I. l.
- Kenneth, son of Sir John, I. lxiv.
- Isobel Auchinleck, his wife, I. lxiv.
- Kenneth, their son, I. lxiv.
- Lieutenant, II. 281.
- Lady Margaret, daughter of George first Earl of Cromartie. *Vide* Bruce.
- Lady Margaret, daughter of George third Earl of Cromartie. *Vide* Cromartie.
- Margaret, daughter of Sir Roderick, I. li, lii.
- Margaret, daughter of Sir John. *Vide* Macleod.
- Lady Mary, daughter of George third Earl of Cromartie. *Vide* Cromartie.
- Mr., I. 197.
- Mr., of Ardloch, I. cexl; II. 398.
- Mr., of Delvin, II. 422.
- Mrs., of Kildonan, I. preface xvii.
- Murdoch, of Kintail. *Vide* Kintail.
- Murdoch (Murdo), of Mellabost, I. liii.
- Murdoch. *Vide* Bishop of Orkney.
- Norman, son of John Earl of Cromartie, I. ccix.
- Patrick, son of John Earl of Cromartie, I. ccix; II. 148.
- SIR RODERICK (RORIE) OF COIGEACH, TUTOR OF KINTAIL, I. preface x, xix, x, Memoir, xxv-liv, cclxii; II. 284, 425, 427, 428, 434, 436, 437, 440, 441.
- MACKENZIE, Margaret Macleod, his wife, I. xxvii, xxx, xxxi, xxxviii, xlii, xlix, li, lii, lix, xcvi, cclxii.
- Alexander, of Ballone, their son, I. l, lii.
- Colin, of Tarvey, their son, I. l, lii.
- Charles, their son, I. l, lii.
- James, their son, I. l, lii, lxi.
- Kenneth, of Scatwell, their son, I. xlix, li, lii.
- Margaret, their daughter, wife of Sir James Macdonald of Sleat, I. li, lii.
- John, Archdean of Ross, natural son of Sir Rorie, I. l, lii.
- Roderick (Rorie), of Kilmuir, I. l.
- Rorie, of Davochmaluak, I. lxi.
- Rorie, I. lxi, 147.
- R. and twenty-four others of the name of, I. 125, 126.
- Rorie, Presbyterian minister, II. 203, 204.
- Roderick, son of George first Earl of Cromartie. *Vide* Cromartie.
- Captain Roderick, son of John Earl of Cromartie. *Vide* Cromartie.
- Rorie, parson of Moy, II. 475.
- Hon. Simon, of Lochslane, I. xxiii, *for* James *read* Simon, I. l, lxviii.
- Simon, his son, I. l.
- Jean, his wife, I. l.
- Mr. Stuart, cclxvi.
- Thomas of Inverlawl, minister of Tarbat, I. lvi, lvii.
- Thomas, of Pluscardin, I. lx, lxii.
- Thomas, Lord, I. preface xvi.
- Major William, II. 397.
- William, son of George third Earl of Cromartie. *Vide* Cromartie.
- William, son of John Earl of Cromartie. *Vide* Cromartie.
- of Coull, I. lxii.
- of Redcastle, I. preface xiii.

M'Kiligan, Mr. Denald, I. cci ; II. 146.
 M'Kinnon, Charles, I. 205, 206.
 MacIachlan, Colonel, II. 385.
 Maclean (M'Clayne, M'Lean), Sir John, I. 83-85, 243-245, 249-251, 261, 262 ; II. 25, 26, 119, 120.
 — Hector, of Dowart, I. xlv-xlvii.
 — Hector, younger of Dowart, I. xlv, xlvii, lii.
 — Lauchlan, of Dowart, I. xxxviii.
 — overseer at Balgonie, II. 476, 478.
 — of Lochbny, II. 479, 480.
 — Maclean of, II. 471, 503.
 Macleans, the, I. 41 ; II. 502.
 Macleay, Kenneth, R.S.A., I. xxiv.
 MACLEODS OF LEWIS.—
 Macleod (M'Cloyd, Makeloyd, M'Claud, M'Cloid, Makelode), Torquil (Torkell, Torquell), ancestor of the Macleods of Lewis, I. xxviii, xxix, xxxiii ; II. 511.
 — Hango, successor to Torquil, II. 511.
 — Rorie of Lewis, I. xxix ; II. 511.
 — Malcolm (Melcolumb), his son, I. xxix ; II. 511.
 — Malcolm ni Bowan, II. 511.
 — Roderick (Rorie, Ruari), heir of Malcolm, I. xxix, xxx, xxxiii-xxxviii, xli ; II. 482, 511, 513.
 — Janet Mackenzie, his first wife, I. xxx, xxxiii ; II. 511.
 — Barbara Stewart, his second wife, I. xxix, xxxiv ; II. 482, 512.
 — Maclean, his third wife, I. xxxviii ; II. 482, 512.
 — Torquil (Connanach), son of Rorie and Janet Mackenzie, I. xxix, xxx, xxxi, xxxiii, xxxvii-xxxix ; II. 441, 482, 512, 513.
 — Margaret Nein Angus Macallister, his wife, I. xxx ; II. 441.
 — Torquil Oighre, son of Roric, by second wife, I. xxxiv, xxxvii ; II. 512.

Macleod, Torquil Dubh, son of Rorie, by third wife, I. xxxviii ; II. 440, 512.
 — Tormod, son of Rorie, by third wife, I. xxxviii ; II. 512.
 — Rnari Oig, Neill, natural sons of Rorie, I. xxxi, xxxviii, xli ; II. 512, 513.
 — Donald, Malcolm, Tormod, and Murdoch, natural sons of Rorie, I. xxxviii ; II. 512, 513.
 — Margaret, heiress of Lewis, daughter of Torquil Connanach, and wife of Sir Roderick Mackenzie. *Vide* Mackenzie.
 — Elspet, her sister, I. xxxi.
 — John, son of Torquil Connanach, I. xxxi, xxxviii ; II. 513.
 — Neill, son of Torquil Connanach, I. xxxi.
 — Malcolm M'Rorie, son of Rnari Oig, I. xli.
 — of Lewis, I. clxii ; II. 467, 468, 489.
 Macleod, Alexander, aide-de-camp to Prince Charles, II. 390.
 — Alexander, II. 426.
 — Mr. Alexander, I. 85, 133, 284 ; II. 170.
 — Captain, I. 205, 206, 212, 213, 287.
 — Donald, of Assint, I. lxi.
 — Donald, his son, I. lxi.
 — Donald, of Geanies, I. cclx.
 — Jean, widow of Kenneth Mackenzie of Cromartie, his wife, I. cclx.
 — Eneas, I. 127.
 — Gillicallum Garwe, of Raisay, I. xxix, xxxiv.
 — George, II. 426.
 — Lady Isabella, I. 150.
 — John Lord. *Vide* Earl of Cromartie.
 — JOHN LORD, COUNT CROMARTIE IN SWEDEN, I. preface x, xi, xxxii, cexii-cexix, cexxiii, cexxvii, cexxx, cēxxxiii, Memoir, cēxxxvi-cēlviii, cclix, cclx ; II. 182, 184, 186, 187, 215-219, 221-223, 225-233, 235, 236, 239-247, 254, 288, 290-297, 302, 304-307, 310-314, 379-411, 418, 422, 435.

- Macleod, Marjory, daughter of Lord Forbes, his wife, I. ccxxxvi, cclviii.
 — John, I. 67, 127.
 — Laird of, I. ccxviii; II. 170, 171, 182, 221, 268, 293, 296-298, 303, 305, 307, 309, 386, 397.
 — Lieutenant Neil, I. 308.
 — Mr., of Cadboll, I. xlviii, cclvii; II. 435.
 — Mr., I. 297; II. 71, 386.
 — Murdoch (Murcha M^cIan M^cWilliam), II. 442.
 — Norman, of Macleod, I. ccix.
 — Hon. Anne Fraser, his wife, I. ccix. *Vide* also Cromartie.
 — Norman (Tormaid Ban), II. 422.
 — Norman, chamberlain to John second Earl of Cromartie, II. 426, 433.
 — Sir Norman, I. lxxi.
 — Captain Norman, I. ccl.
 — Roderick, of Macleod, I. lxiv.
 — Margaret Mackenzie, daughter of Sir John of Tarbat, his wife, I. lxiv.
 — Sir Rorie, heir-male of the family of Harris, I. xxxv-xxxvii, xli.
 — Norman, his son, I. xxxv-xxxvii.
 — Tormod, ancestor of the Macleods of Harris, I. xxxiii; II. 511.
 — William, of Harris, I. xxxv.
 — Mary, his daughter, heiress of Harris, wife of Duncan Campbell, younger of Auchinbreck, I. xxxiv, xxxv.
 M^cLey, Alexander, I. liii.
 Macmahon (Matheson), Kenneth, I. xii. xix; II. 463-465.
 Macmaras, II. 505.
 M^cNeil, Donald, in Counlain, I. 153.
 — of Barra, I. xliii; II. 503.
 — Alexander M^cLean, *alias*, I. 153.
 Macneils of Barra, the, II. 502.
 M^cNachtan, John, I. 44.
 Macknyven, Donald, II. 339.
 M^cOtter, Thorfin, II. 506.
 M^cPherson, William, of Inveressie, I. 261, 262.
 — Eneas, his son, I. 261, 262.
 M^cQueen, Donald, I. xxxvii.
 — Ewin, minister of Duirinish, I. xxxvii.
 — Mr., II. 257.
 M^cRaes, the, II. 282.
 M^cRanald of Moydart, II. 489.
 M^cTeyr, William, II. 337.
 — Donald, II. 337.
 Maktyre, Donald, chaplain, II. 340.
 — Marcella, daughter of Donald Maktyre of Inverathly, II. 339.
 M^cVey, Donald, II. 342.
 M^cVicar, Donald, II. 343.
 Madagascar, pirates of, II. 42.
 Maitland, Brigadier-General, I. 206, 210-212, 222, 228.
 — Colonel, I. 184.
 Maitland's regiment, I. 234.
 Malcolm, King of Scotland, I. civ.
 — the Clerk, II. 446.
 Malliver, Thomas, II. 463.
 MAN, GODRED, SON OF SYRIE, KING OF, II. 504.
 — FINGALL, HIS SON, KING OF, II. 504, 505.
 — GODRED CRONAN, KING OF, II. 504, 506.
 — Harold, his son, II. 505, 506.
 — Regnald, son of Harold, II. 506.
 — LAGMAN, SON OF GODRED, KING OF, II. 505.
 — OLAUS, SON OF GODRED, KING OF, II. 505, 506.
 — Africa, daughter of Fergus of Galloway, his wife, II. 506.
 — Regnald, natural son of Olaus, II. 506, 507.
 — Lagman and Harold, natural sons of Olaus, II. 506.
 — Donald M^cTada, governor of, II. 505.
 — Ingemund, governor of, II. 505.
 — Othir, governor of, II. 505.
 — GODRED, SON OF OLAUS, KING OF, II. 506, 507, 510.

- Man, Fingalo, wife of Godred, King of, II. 507.
- Ivar, their son, II. 507, 509.
- Africa, their daughter, II. 507.
- REGNOLD, SON OF GODRED, KING OF, II. 507, 509.
- Godred Donud, his son, II. 508.
- OLAUS, SON OF GODRED, KING OF, I. xxxiii, clxi; II. 507, 508.
- Laon (Laven), his second wife, II. 507, 508.
- Christian, his third wife, II. 508.
- HAROLD, SON OF OLAUS, KING OF, II. 509.
- REGNOLD, SON OF OLAUS, KING OF, II. 509.
- Mary, his daughter, II. 510.
- Lagnan, governor of, II. 509.
- Harold, son of Godred Donud, II. 509, 510.
- MAGNUS, SON OF OLAUS, KING OF, I. xxxiii; II. 509.
- Leodus, son of Harold, I. xxxiii, clxi, excvi; II. 511.
- Adama, his wife, daughter of Ferquhar, Earl of Ross, II. 511.
- Torkell and Tormett, their sons. *Vide* Macleod.
- Thomas, II. 328, 331.
- Manchester, Charles fourth Earl of, II. 75.
- Mangerton, II. 128, 262, 263.
- Mansfield, Lord, II. 450.
- Mar, Alexander Stewart, Earl of, II. 469, 471, 472.
- John Earl of, Regent, I. xxxvii, lv.
- John second Earl of, I. xxvi.
- John sixth Earl of, I. preface ib, xx, cliii, cliv-clx, clxiii, clxiv, clxxiii, cci, 184, 289-291, 293, 295, 298-312; II. 1-21, 26, 27, 30-57, 63, 68, 69, 76, 79, 84, 85, 106, 114, 129, 132, 154-157, 160, 162, 166, 167, 454, 455.
- Mar, Lady Mary Mackenzie, Countess of, I. preface ib, cliii, clviii, clxiv.
- and Kellie, Earl of, I. preface xix, cliv.
- Mar's regiment, I. 234.
- March, Patrick Earl of, II. 462, 463.
- William Earl of, I. cxlv; II. 163.
- Lady Jean Hay, his Countess, II. 163.
- Marchmont, Patrick first Earl of, I. cxxxix, 136, 151, 152.
- Marischal, William seventh Earl, I. lxxviii.
- William ninth Earl, I. clxxxix, 187, 213; II. 129, 244.
- William, II. 448.
- Marlborough, Duke of, I. clvi, clxxxi, 174, 184, 246, 269, 285; II. 3, 14, 62, 73, 76, 94, 112-114.
- Martin (Mertin), Miss, II. 220.
- Mary Queen of Scots, I. preface iii, xx, xxxiv, xxxv; II. 430, 451, 492, 496, 497, 499, 500.
- Regent of Scotland, I. preface iii; II. 492, 493.
- Queen of Great Britain and Ireland, II. 267. *Vide* also William and Mary.
- Massie, James de la, I. excviii.
- Matheson, Alexander, of Ardross, M.P., I. xxiv.
- Kenneth, younger of Ardross, I. preface xbviii.
- Sir James, Baronet, I. xxxix.
- John, of Lochalsh, I. xxiv.
- Manle, Hon. William, of Panmure, II. 421.
- Maurice, Prince, of Anhalt Dessau, I. ccxlv; II. 399, 402, 405-411.
- Maxwell, Captain, I. ccl.
- Colonel, I. 48.
- Sir John, I. 120, 121.
- Sir William Stirling, Baronet, M.P., I. preface xix.
- Medlicot, Mr., II. 82.
- Megins, I. 70.
- Mein, Mr., II. 261.

- Meldrum, Squire, II. 45, 57.
 Melfort, John Earl of, I. cxv, cxxv, cxxix, 47, 48, 54, 55.
 Melrose, Earl of, I. lii.
 Melville (Maluil), Hon. Alexander. *Vide* Lord Raith.
 — George first Earl of, I. cxiv, cxxiv, cxxviii-cxxxvi, cxliv, cxlvii, cc, 43, 48, 62, 80, 81, 110-115, 120, 175-178, 207; II. 127, 261, 264.
 — John third Lord, I. 75.
 — Anne Erskine, his wife, I. 75.
 — John, Lord of, II. 45I.
 — Viscount. *Vide* Dundas.
 — John of, of Carnegie, II. 451.
 — John of, his son, II. 451.
 — Sir John, younger of East Carnegie, II. 451.
 — Lieutenant, I. cclii.
 — Mr., chamberlain of Eskdale, II. 124.
 — Hon. William Leslie, I. cxxviii.
 Menteith, Robert Earl of Fife and, II. 321.
 — William, of Kilgour, II. 338.
 Menzies, Ann, I. 69.
 — William, I. cxix.
 Merchiston, Laird of, I. clxxxv.
 Mersington, Lord, I. cxx.
 Methven (Meffen), Presbytery of, I. 105.
 Mey, Laird of, I. 67, 97.
 Meyer, Lieutenant-Colonel, II. 402.
 Michelson (Michaelis), Finlay, II. 335, 336.
 — Anneta Mackaye, his wife, II. 336.
 Middleton, Major-General, first Earl of, I. lxi, lxxi, lxxii-lxxv, lxxvii-xcix, 1-10, 18, 33, 35.
 — John and Charles, sons of Charles Earl of, II. 83.
 Miller, Hugh, II. 418, 419, 444.
 Milntoun, Laird of, II. 501.
 Milton, John, I. 22.
 Minto, Lord, II. 105, 107, 108.
 Mitchell, Rear-Admiral, I. 99.
 Mochrum, Laird of, I. cxx.
 Modie, Mr., II. 50.
 Monck, General, I. lxxi, lxxii, lxxiv, lxxv, clxv; II. 140, 143.
 Moncrief, Sir Thomas, I. 149; II. 87.
 Moncrieffe, Mr., II. 257.
 Monelaw, John, chaplain, II. 324.
 — Thomas, provost of Collegiate Church of Tain, II. 322, 324, 340.
 — Sir William, vicar of Alness, II. 324.
 Monkton, II. 251, 252.
 Monmouth, James Duke of Buccleuch and, I. preface bi, xc, cxxviii, cxxix, 10, 48.
 — Aune Duchess of. *Vide* Buccleuch.
 Monro (Munro), Alexander, I. cxxxvi.
 — Andrew, I. 58; II. 190, 334.
 — Andrew (Black Andrew), II. 430.
 — Andrew, of Milntoun, II. 500.
 — Andrew, of Newmoir, II. 429.
 — Colonel, I. 95-97.
 — Duncan, II. 331.
 — George, of Meikle Tarrell, I. xlvii, xlviii; II. 427-429.
 — George, of Tarbat, I. xlvii.
 — George, of Milntoun, II. 429.
 — George, of Newmoir, II. 428.
 — Marion McCulloch, his wife, II. 428.
 — George, his son, II. 428.
 — Sir George, of Culrain, I. lxxii-lxxiv, cxvi.
 — Sir Hector, I. ccl-cclv.
 — Hugh, I. cxxix, cxxxi.
 — Hugh of, laird of Estirfoulis, II. 322.
 — Hugh of, II. 323, 328.
 — John, I. clxxxiv; II. 344.
 — John, of Foulis, II. 449.
 — John, of Pittonachtue, II. 500.
 — John, chief bailie of Ross, II. 330-332.
 — Madam, I. 109.
 — Major, of Fowlis, I. preface xlviii.
 — Patrick, II. 331.
 — Sir Robert, of Foulis, I. xlix, cxxviii; II. 24.

- Monro, Robert of, II. 325, 345, 448.
 — Thomas, Secretary to John Lord of the Isles, II. 332.
 — William, of Foulis, II. 343, 484-486, 501.
 — Hector, his son, II. 485.
 — Robert, son of Hector, II. 485.
 — of Foulis, II. cxvi, 490.
 Monros, the, I. lxii.
 Montague, Sir William, II. 510.
 Monte Alto (Mohaut or Mowat), William of, Sheriff of Cromartie, II. 445, 446, 458.
Vide also Mowat.
 Montgomerie (Montgomery), Alexander Lord, II. 329.
 — Major the Hon. Archibald, I. ccix.
 — Mr. Francis, I. 188, 298.
 — Sir James, of Skelmorlie, I. cxvi, cxx, cxxiv.
 — Mr. John, I. 294.
 Montgomerie's Highlanders (78th), I. ccix.
 Monteith, Mr., I. 143.
 Montrose, James first Marquis of, I. lvi, lxxix, 262.
 — James third Marquis of, I. 269.
 — Lady Christian Leslie, Marchioness of.
Vide Bruce.
 — James first Duke of, I. cxlvii, clxxxi, 147, 152, 167, 168, 174, 208, 209, 224, 256, 258; II. 61, 62, 158.
 — James third Duke of, I. civ.
 — James fourth Duke of, I. preface xix.
 Moore, Mr., I. 133.
 Moray (Murray), Randolph Earl of, I. xxiv; II. 447.
 — Earl of, Regent, II. 496, 497, 499, 500.
 — James Earl of, II. 502.
 — Alexander Earl of, I. c, cviii, cix, 41-45, 47, 48, 188.
 — Francis Earl of, II. 292.
 — James Earl of, II. 291-294, 298, 386.
 — Andrew, Bishop of, I. xi. xiii; II. 464.
 Moray, William Hay, Bishop of, I. 121, 122, 165; II. 12.
 — Murdoch Mackenzie, Bishop of, I. 12.
 — William Brynneth, Presbyter of, II. 449.
 — James Stewart, Dean of, II. 449.
 Mordaunt, Lord, II. 25.
 More, William, II. ccxxii.
 Moresoun, Mr. Alexander, of Prestongrange, II. 345.
 Morgan, General, I. lxxv.
 Morison (Moricii), David, bailie of Cromartie, II. 324, 325.
 Morton, Earl of, I. xxxviii, 298; II. 75, 294, 498, 500, 501.
 Mount Stewart, Lord, II. 71, 74.
 Mouredus, a hermit, II. 467.
 Mowat (Mohant), Alexander, II. 436.
 — Isabella Leslie, his wife, II. 436.
 — Ensign Andrew, I. cxvii-cc.
 — John, of Loscragy, II. 436.
 — Magnus, II. 492.
 — Patrick, of Bugholly, II. 492.
 — Roger, II. 347.
 Mowbray, I. 294.
 Moydart (Mudoirt), Allan of, II. 474.
 — Laird of, I. 128, 132.
 Murdoch (Murdown), Mrs., II. 220.
 Mure, Sir Adam, of Rowallan, I. clxxxviii.
 Murray, Dr. Adam, II. 414.
 — Catherine Mackenzie, his wife, II. 414.
 — Alexander, son of Lord Elibank, II. 245.
 — Andrew, II. 466.
 — Lord Charles, I. 39.
 — Sir David, of Stauhope, I. 270.
 — Elizabeth, daughter of Patrick third Lord Elibank, II. 155.
 — Lord George (De Valignie), I. ccxvi, ccxvii, cxxxviii, cxli, cxliii; II. 191-193, 222, 233, 236, 239, 240, 244, 382-396.
 — Lady Charlotte, his daughter-in-law.
Vide Athole.

- Murray, Rear-Admiral George, II. 247, 248, 250, 253, 257-259.
 — Patrick, his son, II. 250.
 — Sir James, of Philiphaugh, I. cxvi.
 — Brigadier-General James, II. 247, 248, 250-253, 257-259.
 — Mrs., his wife, II. 259.
 — James, I. 212, 222.
 — Mrs. Jean, II. 218-221.
 — Captain John, I. 212, 222, 226, 229.
 — Dr. John, II. 256, 258.
 — Lady Anne Mackenzie, his wife, II. 256.
 Vide also Atkin.
 — Lieutenant-Colonel, I. 70.
 — Mr., of Abercairny, II. 415.
 — Kenneth, of Geanies, I. preface xbiij, xlviii; II. 429.
 — Mr., of Polmaise, II. 391.
 — Mr., II. 163.
 — Mr., Secretary to Prince Charles, I. cccxvii, cccxxxix; II. 195, 205, 228, 390.
 — Mrs., of Dollerie, I. cccxxv.
 — Sir Mungo, I. lxxxix.
 — Richard, I. 294.
 — Sir Robert, Lord Justice-Clerk, I. lxxvi-lxxviii, lxxxvii, xci.
 — Sir Thomas, of Glendoik, I. cxxxii.
 — William of, II. 448.
 — William of, of Thlibardine, II. 329.
 — William, I. cccxii.
 — Sir William, of Ochertyre, I. cccxxxi, ccclix.
 — Lady Augusta Mackenzie, his wife, I. cccxxxi, ccclix; II. 257.
 Murthly, John, of Yrelande, Baron of, I. xvi.
 NADASTI, Count, II. 409, 410.
 Nairn, Sir David, I. 240, 310; II. 49, 71, 78, 84, 86.
 — Mr., bailie at Dalkeith, II. 260, 272, 279.
 — Mr., I. 97.
 Napier, Sir Alexander, of Lanriston, II. 345.
 Neill, Clan, II. 509.
 Nemaragh, M., French officer, II. 196.
 Newbattle, Lord, I. 77.
 Newburgh, James first Earl of, I. lxxviii, lxxxv, xcii, clxi, 3-5, 11.
 Newcastle, Duke of, II. 223.
 Newhall, Laird of, I. 52, 132.
 Newton, Sir Isaac, I. 82.
 Nicholson (Nicolai, Nycholai), Alexander, II. 331.
 — John, bailie of Dingwall, II. 328, 330.
 Nicoll, Patrick, II. 452, 458.
 Nimmo, Alexander, rector of Inverness Academy, II. 460.
 Nisbet, Sir John, of Dirleton, I. exc.
 Nithsdale, Lady, I. cccxxv, cccxxvi, cccxxii.
 North, Lord, I. ccxlv, ccxlv.
 Northesk, David fourth Earl of, I. clvi, clvii, clxv-clxvii, 252; II. 17, 57, 84, 273, 279.
 — Lady Margaret Wemyss, his wife, I. cli, clvi, xcii; II. 18, 272.
 — William Hopetoun, Earl of, I. ccxii.
 Northumberland, Percy Earl of, II. 510.
 — rebels, II. 167.
 Norway, Haco King of, II. 462, 508, 509, 510.
 — Harold Harfager, King of, II. 504, 505.
 — Maguus King of, II. 505, 510.
 — Hango (*read* Eric), his son, II. 510.
 — Margaret, daughter of Alexander the Third, wife of Eric, II. 510.
 — Margaret, Maiden of, II. 510.
 — Ring King of, II. 506.
 Nottingham, David second Earl of, I. 82; II. 58.
 O'BRIAN, Murdoch, King of Ireland, II. 505, 506.
 — Osibiles, his brother, II. 506.
 Ogilvie, Sir Alexander, I. 283.

- Ogilvie, Captain, I. 238.
 — Colonel, I. 235.
 — Sir James, I. 121.
 — Mr. Patrick, I. 205.
 Oig, Kenneth, I. xix.
 Olaus, King of Man. *Vide* Man.
 Oldenburg, Henry, Secretary to the Royal Society, I. lxxvi, clxxxvii, 22, 23.
 Oliver, Mr. John, II. 318.
 O'Morrisy, Turlough, I. xxxvii.
 O'Niel, Brigadier Gordon, I. 78.
 Onslow, Sir Richard, II. 72.
 Orange, William Prince of. *Vide* William the Third.
 Orkney, George Earl of, II. 24, 146, 147.
 — Murdoch Mackenzie, Bishop of, I. 26, 27 ; II. 35.
 — Jean, his daughter, I. 27 ; II. 35.
 Ormiston, Lord Justice-Clerk, II. 105, 155, 421.
 Ormond, James Duke of, I. lxxxiv, 210, 286 ; II. 82, 132, 133, 162, 166.
 Ossian, II. 456.
 Oswald, Major, II. 251.
 O'Sullivan, Colonel John, adjutant to Prince Charles, I. preface vi, ccxiv, cclx ; II. 194, 196-198, 200, 201, 202, 206, 209-213, 393.
 Oughton, Sir James Adolphus, II. 456.
 Oure, Kenneth, I. xxii, lxiv ; II. 438, 439.
 Oviedo, I. lxviii.
 Oxford, Earl of, II. 160, 416.
 PANTON, Robert, I. 232.
 Paterson, William, projector of the Darien Scheme, II. 78, 121, 123.
 — William, brother of the Archbishop of Glasgow, I. 179.
 — Sir William, I. 51.
 — Mr., I. 147.
 — (Patricii) John, II. 337.
 Paul the Second, Pope, II. 334.
 Pelham, Mr., II. 228.
 Pembroke, Earl of, II. 71.
 Perth, James Duke of, I. cxiii, cxiv, cxvi, cxviii, cciv, ccxiii, ccxvii-ccxix, ccxxxviii, 34, 35, 43, 44 ; II. 191, 205, 206-210, 389-391, 395-397.
 — James Lord Drummond, his son. *Vide* Drummond.
 Peterson, Sir Hugh, II. 388.
 Petrie, Mr., II. 210.
 Philiphaugh, Lord, I. 36.
 Philp, John, I. 238, 292-294.
 Piltoun, Laird of, I. 279.
 Pitcairn, Dr., I. cxl, 140-145.
 — Mrs., I. cxli.
 Pitcaple, Laird of, I. 131, 174.
 Pitcarlie, Laird of, I. 28, 29.
 Pitcur, Laird of, I. lxiv.
 Pitt, William, I. ccxlviii.
 Poirer, Elias, Sieur de la Roche, I. cxevii-cxcix.
 — Isaac, I. cxevii-cxcix.
 — George, I. cxevii-cxcix.
 Politins, Dr., I. clxxxvi.
 Polkemmet, Laird of, I. 252.
 Pollock, Lord, I. lxiii ; II. 105.
 Poltoun, Lord, II. 278, 279, 281.
 Polwarth, Sir Patrick Hume, Lord, I. 117, 122, 123 ; II. 58.
 Portland, William Bentinck, Earl of, I. cxxii, 61, 88.
 Portmore, Lord, II. 117, 157.
 Potter, J., II. 225, 226.
 Pourie, young, I. 94, 95.
 Powis, Lord, I. 54.
 Poyntz, Mr., II. 254.
 — Hon. Mrs., I. cccxv.
 Prattis, James, II. 323.
 Preston, Sir John, of Valleyfield, I. 161.
 — Jean, his daughter, wife of Robert Bruce of Blairhall, I. 161.
 — George, Surgeon-Major, I. cxlix.
 Prestongrange, Laird of, I. 121.

- Prestonhall, Roderick Mackenzie, Lord, I.
 preface xbi, Memoir, lxiii, cxlv, clxxxi,
 29, 90, 127, 128, 147, 166, 199; II.
 24, 71, 77, 103, 104, 199, 273, 421.
 — Mary Burnet, his first wife, I. lxiii.
 — Margaret Halyburton, widow of Sir George
 Mackenzie of Rosehaugh, his second
 wife, I. lxiii, 151, 182.
 — Alexander, his son, *Vide* Mackenzie Fraser.
 — John and George, his sons, I. lxiii.
 — Elizabeth, his daughter, I. lxiii.
 Primrose, Sir Archibald, Lord Clerk Register,
 I. lxxvii, lxxxii, xciii, civ, cxxxii, 1.
 Pringle, Mr., surgeon, I. 209.
 — Robert, Secretary of State, II. 161-163.
 — Sir Walter, II. 71.
 Prophet, Mr., postmaster, II. 39.
 Prussia, Prince of, II. 24.
 — Prince Ferdinand of, II. 403.
 — Prince Henry of, II. 401, 409, 410.
 Prussian troops, II. 241.
 Puttkammer, Major-General, II. 409.
- QUEBEC, Brigadier-General James Murray,
 governor of. *Vide* Murray.
 Queensberry, William first Duke of, I. ex-cxiii,
 cxxii, cxxxi, cxxxii, cxlv, 34, 35, 44, 47,
 72, 90, 91, 106, 115, 118, 129.
 — James second Duke of, I. cxlv, cxlviii,
 clxiv, 149, 150, 158, 167, 171, 172, 176,
 177, 187, 196, 198, 203, 208-210, 214,
 217, 218, 227-229, 232, 240, 250, 260,
 264, 269, 285, 292, 296, 312, 313; II.
 1-3, 7, 15, 31, 46, 59, 63-69, 84, 86, 116,
 355, 379, 421.
 — Mary Boyle, his Duchess, I. 158, 296;
 II. 268.
 Quhite. *Vide* White.
- RADZIVIL, Prince, II. 232.
 Raith, Hon. Sir Alexander Melville, Lord,
 I. cxiv, 53, 120, 121.
- Ramsay, Alexander, II. 469.
 — Andrew, I. lvii.
 — George, of Corstone, II. 338.
 — John, his son, II. 338.
 — Lieutenant-General, I. 240.
 Ranald (Rolholland), II. 465.
 Ranelburne, II. 128.
 Rankeillor, Archibald Hope, Lord, I. 118,
 252.
 Rankin, David, I. ccvii, 207.
 Rea, James, merchant, Edinburgh, I. lii.
 Reay (Rhea), George third Lord, I. 25, 123,
 124, 176, 177; II. 395.
 — the Master of, I. 24, 25.
 Rebayn, John, II. 324, 325.
 Redcastle, Laird of, I. clxii, 15, 63, 277; II.
 290, 309, 310.
 Reid (Reed, Rede), Arthur, II. 57.
 — Captain, II. 234.
 — Donald, notary, II. 344.
 — Captain John, of Greenwich, II. 418.
 — Sir James, I. lii.
 — Mr., II. 103.
 — Thomas, II. 335, 342.
 Renfrew, Lord, I. cxlviii, 210.
 Reoch, John, II. 501.
 Riach, Murdo, ancestor of the Slight Vurchie
 Riich, II. 468.
 Riccarton-Drummond, Laird of, I. cxx.
 Richmond, Duke of, I. xcii, 224. *Vide* also
 Lennox.
 Ride, Mr., II. 221.
 Rig, Mr., II. 154.
 Rivers, Lord, II. 25.
 Robert Bruce, King, I. preface xiii; II. 446,
 447, 458, 465, 510.
 — the Second, King, I. xv, xviii, clxxxviii,
 cxcii; II. 138, 320, 469.
 — Elizabeth Mure, his first wife, I. clxxxviii,
 cxcii; II. 138.
 — the Third, King, I. clxxxviii; II. 321.
 Robertson, Sir John, II. 491, 492.

- Robertson (Roberti), John, son of William, II. 340, 341.
 — John, notary, II. 344.
 — Mr., I. 90; II. 288.
 — Thomas, bailie of Inverness, I. cciii; II. 151.
 — Thomas, II. 457.
 — of Kindale, I. 279.
- Robinson, Benjamin, factor to Anne Duchess of Buccleuch, II. 124, 125, 127, 128, 274, 275, 279-281.
 — Mr., I. ccxvi.
 — Mr. William, II. 275.
- Rochester, Lord, I. cxi, 35, 157; II. 113.
- Rodham, Mr., I. 204.
- Rook, Lieutenant-Colonel, I. ccli.
- Rorie, African, I. 271; II. 101.
- Roscommon, Earl of, I. civ.
- Rose, Hew, of Kilravock, I. lxi; II. 73, 74, 104, 106, 107.
- Rosehaugh, Laird of, I. 284; II. 71, 105.
- Rosierucians, the, I. clxxxvii.
- Ross (Ros, Rosse), Alexander, Bishop of, II. 322.
 — Thomas Hay, Bishop of, II. 476, 483.
 — John Lesly, Bishop of, II. 499, 500.
 — David Lindesay, Bishop of, II. 502.
 — Patrick Lindsay, Bishop of, I. lix.
 — Dr. John Maxwell, Bishop of, I. lviii, lix.
 — John Paterson, Bishop of, I. 11-14.
 — James Ramsay, Bishop of, I. cxiii.
 — Robert, Bishop of, II. 315, 446.
 — Roger, Bishop of, II. 318, 448.
 — Henry St. Clair, Bishop of, II. 499.
 — Alexander Young, Bishop of, II. 31.
 — Bishop of, II. 476.
 — Thomas, Canon of, II. 334.
 — William of Dingwall, Dean of. *Vide* Dingwall.
 — Robert Graham, Archdeau of, II. 501.
 — Thomas, Sub-dean of, II. 324, 340.
 — Dean and Chapter of, II. 315, 495.
- Ross, Alexander Lord of the Isles, Earl of, II. 471, 472, 481, 491, 511.
 — Alexander Lesly, Earl of, II. 469.
 — Lady Isabel Stewart, his Countess, II. 469.
 — Alexander Stewart, Earl of Buchan, Lord of. *Vide* Buchan.
 — Ferquhard Earl of, II. 429, 464, 508.
 — Hugh Earl of, I. preface xiii, clxii; II. 317, 323, 428, 446, 458.
 — John (of Yle) Lord of the Isles, Earl of, II. 331, 332, 428, 449, 473-475, 481, 491, 511.
 — Walter Lesly, Earl of, II. 467, 469, 471.
 — William Earl of, I. preface xiii, clxii; II. 323, 428, 436, 437, 446, 458, 465.
 — William Earl of, son of Hugh, II. 317-321, 323, 448, 449.
 — Euphame Countess of, his daughter, II. 321, 322.
 — Euphame Countess of, daughter of Alexander Lesly, I. xxix; II. 469.
 — James Duke of, and Archbishop of St. Andrews, I. preface iii; II. 342, 343, 484, 486, 490.
 — William, Lord, of Halkhead, I. clx-clxii; II. 50, 69, 99, 169, 296, 305.
 — Alexander, I. 55; II. 450.
 — Alexander, of Little Alane, II. 323, 324.
 — Arthur, I. ccxxii.
 — Barons of West, I. 276, 277.
 — Lieutenant-General Charles, II. 105, 152, 153.
 — Captain, II. 102.
 — Colonel, II. 447, 450.
 — David, of Balnagowan, I. clxi.
 — George, of Pitcalnie, I. preface xbiii.
 — George, of Pitkerrie, II. 450.
 — Hugh of, II. 320, 448.
 — Hugh, of Tollie, II. 450.
 — John, of Balnagowan, II. 337.
 — John, minister of Assint, I. lxi.

- Ross, Robert, bailie of Tain, I. xl.
 — sheriff of, I. 234 ; II. 180.
 — Walter, of Invercarron, I. l.
 — Janet, his daughter, wife of Kenneth Mackenzie of Scatwell, I. l.
 — Walter, II. 339.
 — William, eleventh Lord, I. 226, 230.
 — William, of Easter Fearn, I. xl.
 — William, Master of, II. 180.
 — William, I. ccxxii.
 — of Pitcairney, II. 194.
 Rosslyn, Earl of. *Vide* Wedderburn.
 Rothes, John Earl of, I. xlvii, lvi, lvii.
 — John Earl of, I. 147, 218-221, 233.
 — Countess of, I. 120, 147 ; II. 261.
 — John, Duke of, I. lxxviii, xc, xcvi, c, cxlii ; II. 56.
 Rotuwiski, Field-Marshal, II. 242.
 Rouat, Mr., II. 254.
 Roulieu, President de, II. 94.
 Roxburgh, Duke of, I. 218-221, 233, 269 ; II. 58, 78, 112.
 Roy, John, II. 205, 206.
 Royston, Sir James Mackenzie of Royston, Baronet, Lord, I. preface b, xvi, lxiii, cxli-cxlv, excvi, ccix, ccxii, 98, 101, 140, 142-144, 149, 157, 177, 271, 281, 282 ; II. 70-79, 81-88, 101-107, 121, 126, 135, 151, 152, 179, 274, 275, 277-279, 281, 359, 360, 413, 416, Memoir, 420-424, 455.
 — Elizabeth Mackeuzie, his wife, II. 103, 420-424.
 — Elizabeth, his daughter. *Vide* Steuart.
 — George, his son. *Vide* Mackenzie.
 Ruben, John, II. 335.
 — Thomas, II. 341.
 Rupert, Prince, I. clxvii.
 Ruthven (Ruthen), Lord, II. 501, 502.
 Ryder, Sir Dudley, Attorney-General, II. 215, 218.
 Rymer, the Queen's Historiographer, II. 84.
 Saccius, Pompeius, I. 49.
 Sage, Mr., I. 266.
 St. Andrews, Alexander Burnet, Archbishop of, I. lxiii.
 — James Archbishop of, II. 473.
 — James Duke of Ross, and Archbishop of. *Vide* Ross.
 — Arthur Ross, Archbishop of, I. 179, 189, 190, 274.
 — James Sharp, Archbishop of, I. preface ib, lxii, c-cii, 11-14, 18-20.
 — William Bishop of, II. 321.
 — Gavin Dunbar, Archdeacon of, II. 318, 319.
 St. Clair, Thomas of, II. 449.
 — Alexander of, his son, II. 449.
 — Oliver, II. 499.
 — Sir Oliver, II. 318.
 — Walter of, bailie of Cromartie, II. 324, 325.
 St. Foord, Lady, I. 232.
 St. George, Chevalier de, I. ccxliii ; II. 163, 165, 166, 175.
 St. Martins, Laird of, I. 52.
 St. Olaus, King of Norway, II. 505.
 St. Ruth, General, I. 78.
 Salice, General, II. 24.
 Salisbury, Bishop of, I. 94.
 — Earl of, II. 510.
 Scatwell, Laird of, I. cxlii, 17, 156, 277.
 — young, II. 101.
 Scarborough, Lord, I. 197.
 Scherar, Alexander, II. 322.
 Scherer, Robert, clerk of diocese of Aberdeen, II. 322.
 Schaw, John of, II. 322.
 Scholar, Alistair, I. ccxii ; II. 286.
 Schomberg, General, I. 246.
 Schwerin, Marshal, I. ccxlv ; II. 399-402.
 Scot, Alexander, II. 339.
 — Dr., I. 195, 214.
 — John, II. 339.
 — Sir John, I. clxvii.
 — William, II. 338.

- Scot, William, of Balwery, II. 338.
 Scothouse, II. 286.
 Scotland, David, II. 32.
 Scott, Robert, II. 281.
 — Sir Walter, I. preface bi, xxiii, cclii.
 Scroop, William, II. 510.
 Scrope, Baron, II. 121.
 Scrymgeour (Scrimseor), Mr. David, II. 127, 128, 263.
 Seafeld, James first Earl of, I. 159, 165, 167, 176, 187, 188, 196-199, 233-239, 283, 295 ; II. 77, 107, 129, 130.
 — Anne, his Countess, I. 295.
 — James Lord Deskford, his son, II. 230.
 SEAFORTH, COLIN SECOND LORD MACKENZIE OF KINTAIL AND FIRST EARL OF, I. xx, xxiii, xxv, xxxi, xxxii, xxxix, xlvii-xlix ; II. 436, 475, 496.
 — Lady Margaret Seton, his Countess, I. xx.
 — Lady Anna Mackenzie, their daughter, Countess of Balcarres, afterwards of Argyll, I. xx.
 — GEORGE SECOND EARL OF, I. preface ib, xii, xx, lx, lxii, cliv, clxv.
 — Lady Mary Mackenzie, his daughter. *Vide* Countess of Mar.
 — KENNETH THIRD EARL OF, I. xx, xxii, lxiv, lxix, lxx, c, cxlii, 12-14, 30 ; II. 468.
 — Isabel Mackenzie, his Countess, I. xxii, lxiv, cxlii, cciii, 66, 67, 69, 126, 127, 146, 147, 205, 308, 309 ; II. 8, 13, 38.
 — Hon. John Mackenzie of Assint, their son, I. 67.
 — KENNETH FOURTH EARL AND MARQUIS OF, I. xx, ccii, cciii, 61, 63-66, 73, 126 ; II. 429.
 — Lady Frances Herbert, his Countess, I. xxi, xxxix.
 — WILLIAM FIFTH EARL OF, I. preface ix, xiv, xx, xxxix, clxii, clxxiii, cexxix ; II. 101, 102, 104, 114, 144, 157, 282.
 Seaforth, Kenneth Lord Fortrose, his son, I. xxi, ccxiii, ccxiv, cexxxviii, cexxxvii, cexxxviii ; II. 221, 294, 301, 388.
 — Lady Frances, his daughter, II. 294.
 — Kenneth, son of Lord Fortrose, Baron of Ardelve, Viscount of Fortrose and Earl of Seaforth in Ireland, I. xxi.
 — Thomas Frederick Mackenzie Humberstone of, I. xxi.
 — Francis Humberstone Mackenzie, Baron Mackenzie of Kintail and Lord, I. xviii, xxi, xxii, xxiii.
 — Hon. Mary Frederica Elizabeth Mackenzie of, his daughter, I. xxii, xxiii, xxxix. *Vide* Hood and Stewart.
 — Keith William Stewart Mackenzie of, I. xxii.
 — William, Master of, I. xxii.
 Seton, Lieutenant-General, I. ccxlv ; II. 400, 491.
 — Lady Margaret. *Vide* Seaforth.
 Setton, Mr., II. 273.
 Seytoun, Mr. Alexander, of Kilcrench, II. 345.
 Shaftesbury, Lord, I. cxxxvii.
 Sharp, Mr., II. 215, 216, 218.
 Sheridan, the Hon. Thomas, II. 194.
 — Sir Thomas, secretary to Prince Charles, I. preface bi, ccxiv, cexviii, cexl ; II. 194-196, 198-206, 208, 210, 393.
 Shyan, I. 211.
 Sibbald, Dr., I. 142.
 — Sir Robert, I. exc.
 Sidney, Lord, I. ccliii.
 Silvanus, Abbot, II. 507.
 Simson (Simonis), David and Donald, chaplains of the Cathedral of Ross, II. 344.
 — Daniel, I. 116.
 — John, son of John, II. 340, 341.
 Sinclair, Barbara, I. 97.
 — Sir George, I. 67, 177.
 — Sir James, of Mey, I. lxxi, cxli, cxlii.

- Sinclair, Elizabeth Leslie, wife of Sir James, I. cxli.
 — James, I. 69, 191.
 — James, writer in Edinburgh, I. cxcviii, cxcviii.
 — Lord, I. 187, 188 ; II. 35.
 — Lady, II. 240.
 — Major, I. 290 ; II. 2, 10, 14.
 — Sir Oliver, II. 318.
 — Walter of, baillie of Cromartie, II. 324, 325.
 — Sir William, of Canisby, I. lxxi, cxli.
 — William, I. 69.
 — Ann Donaldson, his wife, I. 69.
 Sinclairs, the, I. ccxix.
 Sixtus the Fourth, Pope, II. 337.
 Slingsby, Mr., I. clix ; II. 37.
 Sloane, Dr. Hans, I. clxxxviii.
 Skene, Dr., I. 195, 214.
 — General, I. ccxlix.
 — Sir James, of Curriehill, II. 345.
 — W. F., I. xiii, xiv, xvi, xvii.
 Smettan, Lieutenant-General, I. ccxlv ; II. 407, 408.
 Smith, Mr. James, I. 92.
 — Adam, I. 295.
 — Andrew, I. preface xix.
 — Chief Baron, II. 87, 121.
 — (Faber), Cristine, II. 335, 336, 341, 342.
 Somers, Lord, I. 115, 197 ; II. 72.
 Somerset, Duke of, II. 492.
 — Duke of, I. 197, 243, 250 ; II. 73.
 Sophia, Princess, I. 294 ; II. 113.
 Southwell, Sir Thomas, I. 65.
 Spain, the resident of, I. 135.
 Spence, Mr., I. cx, 35, 42.
 Spens, Sir Alexander, II. 336, 344.
 — Sir John, II. 344.
 — family of, in Sweden, I. ccxliii ; II. 233.
 Spot, Ninian, Keeper of the Rolls, II. 329.
 Spottiswod, Sir Robert, of Newabay, II. 345.
 Spyne, William, notary, II. 323, 324, 340.
 Stack, Captain, II. 201.
 Stair, John Master of, afterwards Earl of, I. cxxiii, cxxviii, clvii, clxxxii, 81, 87, 89, 93, 94, 101, 113, 117, 118, 129, 290, 291, 298 ; II. 14, 15.
 — John second Earl of, II. 162, 163, 165, 295.
 — James Viscount of, I. lxxvii, xcix, 93 ; II. 74.
 — Lady, I. ccxxvi.
 Stanhope, Mr. Secretary, II. 161.
 — Earl, I. preface ix.
 Stansfield, Sir James, II. 128.
 Steel (Stiell), Patrick, I. 218, 219, 236.
 Stephanson (Filius Stephani), James, II. 323.
 — Thomas, II. 344.
 Steuart, Sir George, of Grandtully, Baronet, II. 121, 424.
 — Anne Cockburn, his wife, I. cxlii, cci, 145, 146 ; II. 121, 146.
 — Sir John, of Grandtully, Baronet, II. 9, 15, 112, 117, 118, 422, 423.
 — Elizabeth Mackenzie, his first wife, II. 423.
 — John, their son, I. lxxxi ; II. 422, 423.
 — Lady Jaue Douglas, his second wife, II. 9, 112, 423.
 — Sir William Drummond, II. 424.
 Stevenson, Dr. Archibald, I. cxl, 139-144.
 — John, burgess of Aberdeen, II. 337.
 Stewart (Stuart), Sir Alexander, II. 447, 462.
 — Sir Archibald, II. 135.
 — Mr. Archibald, II. 423.
 — Archibald, Lord Provost of Edinburgh, II. 381.
 — Brigadier-General, I. cclv.
 — Barbara, wife of Roderick M'Leod. *Vide* Macleod.
 — Captain, I. 43, 210.
 — Colonel, II. 262, 263.
 — Mr. Francis, I. 296 ; II. 292.
 — George, II. 82.
 — James, the Black Knight of Lorn, I. cxlviii, 185.

- Stewart, Jane, his wife, relict of King James the First, I. cxlviii, 185.
- John, their son. *Vide* Athole.
- Sir James, of Coltness, Lord Advocate, I. cxxxi, 205, 206, 210-213, 221-223, 228, 229, 249; II. 155.
- Hon. James Alexander, I. xxii.
- Hon. Mary Frederica Elizabeth Mackenzie of Seaforth, his wife. *Vide* Seaforth.
- Lady Jane, I. 284.
- Mr. John, under Keeper of the Great Seal, I. 283, 292-295.
- John, I. 308.
- Mr., I. 258; II. 77, 87.
- Admiral Keith, I. xxii.
- Mr., Queen's Remembrancer, II. 123.
- Thomas, I. lxxxi.
- Sir Thomas, I. 241, 284, 308; II. 9, 117.
- Walter, I. xi; II. 462-464, 469, 509.
- family of, in Sweden, II. 233.
- Stewarts of Appin, II. 192, 386, 397.
- of Man, II. 512.
- Stirling (Strivelin), Sir Archibald, I. lxxvii.
- George, I. cxix.
- James, of Keir, II. 108.
- John of, II. 463.
- Magistrates of, I. 38.
- Parliament of 1650 at, I. lxxix.
- Stonebyres, Captain Daniel Vere of, I. cccxxvii.
- Lady, I. cccxxvii; II. 384.
- Stormonth, Viscount, I. 219.
- Strachan, George, II. 88.
- Sir John, I. xcii.
- Dr. William, II. 153, 154, 156, 420.
- Strafford, Earl of, II. 160.
- Strange, Lord (*vide* Duke of Athole), II. 214.
- Strathallan, Lord, I. ccxv, cccxxvii; II. 383, 386.
- Strathmore, Earl of, I. cciv, 188, 191, 199.
- Strathnaver, Lord, II. 74, 75, 78.
- Strathnaver's regiment, I. 234; II. 79.
- Strichen, Lord, II. 308, 310.
- Suarez, I. lxviii.
- Suddie, Laird of, I. clxii.
- Sunderland, Lord, I. 197, 249, 250; II. 83.
- Snurachan, II. 486.
- Sutherland, George Granville William, Duke of, I. preface i, xbi, cclxi; II. 360.
- Anne Duchess of, Countess of Cromartie, Viscountess Tarbat of Tarbat, Baroness Castlehaven and Macleod, I. preface i, cxi, cxxi, cclxi, cclxiv; II. 360-375.
- Lord Francis Sutherland Leveson-Gower, their son, I. cclxi; II. 360-375.
- Lady Florence Sutherland Leveson-Gower, their daughter, II. 360-375.
- George Earl of, I. 115, 116.
- Jean, his Countess, I. 248, 249.
- John eighth Earl of, II. 474, 475.
- John tenth Earl of, I. preface iii; II. 430.
- John thirteenth Earl of, I. lxxviii.
- John fifteenth Earl of, I. 248; II. 282, 283.
- William sixteenth Earl of, I. cexxiii, cexviii, cexx, cexxi, cccxiii-cexxviii, cclxviii; II. 184-186, 214, 220, 221, 397.
- Elizabeth, his Countess, I. cexviii, cexx-cexxii.
- Adam, I. cccxiii.
- Barbara, I. cexxi.
- James, son of Lord Duffus, II. 11, 13, 77.
- Jean, I. cccxii.
- Sir John of, II. 323.
- Captain John, I. cccxi.
- John, I. cccxii.
- Sutherland's militia, Earl of, I. cccx.
- Sweden, King of, I. ccxlv; II. 73, 244, 255.
- Queen of, I. cclv.
- Swiny, Mr., French officer, II. 196.
- Sydsers, Mrs., I. 294.
- TAIN, Magistrates and Town Council of, II. 152, 153.
- Presbytery of, I. lvi; II. 289.

- Tallard's army, I. 248.
 Tarbat, Sir George Mackenzie, Viscount. *Vide*
 Earl of Cromartie.
 Tarras, Lord, II. 264.
 Tarver, Mr., II. 87.
 Taylor (Tailzor, Talour), John, II. 336, 341,
 342.
 — Mr. George Sutherland, I. ccxxi.
 — Miss, II. 221.
 Terrell (Tarell), Andrew of, II. 322-324, 428.
 — Angus M'Culloch of, II. 323, 428.
 — Alexander, son of Angus, his heir, II. 323.
 — Angus, son of Alexander, II. 323.
 — Euphemia, II. 428.
 — John, II. 339.
 Tessin, Count, II. 232, 233.
 Teviot, Sir Thomas Livingstone, Viscount of, I.
 cxxvi, ccv-ccviii.
 — Macktellina Walrave de Nimmeguen, Vis-
 countess of, I. ccv-ccviii.
 Teyrson, Donald, chaplain of St. Duthac's Col-
 lege, II. 337.
 Thomson, Mr., I. cxiii.
 — Jean, I. cxci.
 Tolmie, Mr., I. ccxix.
 Tippoo Saib, I. ccliii.
 Torey, Mr., II. 92, 94.
 Townshend, Lord, I. 197 ; II. 161.
 — Mr., II. 251, 252.
 Traquair, Earl of, I. lxxx, ccxiii.
 Travaillon, Mr., II. 225.
 Tromp, Admiral van, I. 99.
 Tullibardine, John Marquis of, II. 273.
 — William Marquis of, I. xxi, ccxxiii ; II.
 188, 189.
 — William of Murray, of. *Vide* Murray.
 — family of, I. 185.
 Tullidolph, Mr., I. 207.
 Tulloch (Tullach), Laird of, I. clxii, 153 ; II.
 144, 179, 246.
 — young, II. 144, 145.
 — John, II. 331, 332, 428.
 Tulloch, Robert, II. 337.
 Turridon, II. 286.
 Tweeddale, John first Marquis of, I. 10, 117-
 121 ; II. 260, 261, 267.
 — John second Marquis of, I. clxxx, 117,
 147, 233, 239, 241, 283.
 — Charles Lord Yester, third Marquis of, I.
 147, 148 ; II. 112, 114, 161-163.
 — Susan Marchioness of, his wife, I. 147,
 148 ; II. 113.
 — Lord James Hay, their son, II. 113.
 — Lady Susan Hay, their daughter, II.
 113.
 — George seventh Marquis of, I. cclx.
 — George eighth Marquis of, I. cclx.
 — John fourth Marquis of, II. 113, 178.
 URQUHART (Vrcharde, Vrchart, Wrchard),
 Adam of, I. preface xiii ; II. 317-320,
 322, 323, 436, 437, 447, 448.
 — Captain Alexander, of Newhall, II. 158.
 — Alexander, II. 325, 449.
 — Sir John, I. lxix, xcii, 14 ; II. 443.
 — Jouathan, his son, II. 443.
 — Leonard, Writer, Edinburgh, I. ccxxxiii,
 ccxxxvii, ccxlv ; II. 183, 184, 231, 235,
 255-257.
 — T., of Craighouse, II. 30.
 — Thomas, of Cromarty, II. 437.
 — Sir Thomas, of Cromarty, I. preface xib.
 — Hon. Christian Elphinstone, his wife, I.
 preface xib.
 — Sir Thomas, their son, I. preface xib,
 xb ; II. 446, 449.
 — Walter, of Cromarty, II. 501.
 — William of, II. 317, 436, 448, 458.
 — Sir William of, I. preface xib ; II. 335,
 449.
 — Captain William, of Meldrum, II. 237,
 415-418, 450.
 — of Cromarty, II. 496.
 Usher, Bishop, I. exci.

- VALLIGNIE, M. *Vide* Lord George Murray.
- Vans, Sir Patrick, of Barnbarroch, I. 170, 171.
- Captain, II. 13, 15.
- Vasques, I. lxxviii.
- Vaudreuil, Marquis de, II. 253.
- Vaus, John, II. 331.
- John, junior, II. 334.
- Magnus and Robert, notaries, II. 344.
- Thomas, II. 337.
- Vendome, Marshal, II. 33.
- Vere, Captain Daniel. *Vide* Stonebyres.
- Vernon, II. 182.
- Victoria, Queen, II. 360, 375.
- Villars, Colonel, II. 22, 32, 35.
- Vivianus, the Pope's Legate, II. 507.
- WADE, Field-Marshal, II. 382, 389.
- Waldebeef, John, II. 510.
- Wales, Frederick Prince of, I. ccxxvi-ccxxviii ; II. 228.
- Princess of, I. ccxxvi.
- Prince of, I. 148, 165.
- Wall, Captain, I. ccli.
- Wallace, Captain John, I. cxix-cxxi.
- Walpole, Horace, I. ccxxvi, ccxxvii.
- Sir Robert, I. ccxxvii.
- Wandell, Lord, I. 241.
- Warmia, Prince and Bishop of, II. 233.
- Warriston, Archibald Johnstoun, Lord, I. cxxxvii.
- Wartenberg, Major-General, II. 401.
- Watson (Valteri, Walterson, Wattsone), Daniel, I. ccxxiii.
- Donald, bailie of Dingwall, II. 326, 328, 331, 345-347.
- James, I. ccxii.
- John, II. 339.
- Mr., I. 295.
- Waughtone, Laird of, I. lix.
- Waus. *Vide* Vaus.
- Webster, Mr., I. 186.
- Wedderburn, Alexander, Provost of Dundee, I. xci.
- Alexander, Lord Gosford, son of Peter of Gosford, I. 244, 248, 251-258.
- Peter, his son, Lord Chesterhall, I. 244.
- Alexander, Baron Loughborough and Earl of Rosslyn, I. 244.
- Peter, of Gosford, I. 244.
- Welsh, Mr., II. 50.
- Wemyss, John first Earl of, I. lvi.
- David second Earl of, I. cxlii ; II. 261.
- David Lord Elcho, third Earl of, I. cxlv, cli, clvii, clxxiv, clxxviii, clxxxix, 279-281 ; II. 47, 58, 71-73, 84, 90-94, 131, 132, 150, 151, 273, 274.
- Lady Anne Douglas, his Countess, I. cxlv, 246, 260, 285.
- David Lord Elcho, their son, II. 272.
- Margaret Countess of, I. cxlii, 53, 70, 86, 87. *Vide also* Countess of Cromartie.
- Sir James, Lord Burntisland, her husband, I. cxlii, cli.
- (Weems), Mr., II. 120.
- Werden, John, I. 31, 32.
- West, Sir Benjamin, I. xviii.
- Weston, Mr., II. 216.
- Wharncliffe, Earl of, II. 423.
- Wharton, I. ccxxvi ; II. 71.
- T., I. 197.
- White, Mr. George, minister of Mary-Culter, II. 95.
- John, I. lxxiii.
- (Quhite), Thomas, chancellor of Caithness, II. 334.
- Wightman (Whitman), Major-General, I. ccii ; II. 164, 283.
- Wilkie, Mr. John, II. 97.
- Willes, General, II. 167.
- William the Conqueror, II. 504.
- the Lion, King, I. preface ii, cxlviii, 185 ; II. 438, 507.
- Earl David, his brother, I. preface ii.

- William, Rufus, II. 505.
 — the Silent, I. 99.
 — the Third, and Mary, I. preface ib, cx,
 cxiv, cxvi, cxviii, cxxii-cxxvii, cxxxiii,
 cxl, cxlv, clxxxviii, cxcv, cxevi, ccv, 160,
 169, 194, 263, 266; II. 14, 61, 144,
 215, 267, 413, etc.
 Williamson, Rev. David, moderator of the
 General Assembly, I. 169, 170.
 — (Willelmi), David, II. 328.
 — Donald, II. 341.
 — Gilbert, II. 325.
 — Janet, II. 341, 342.
 — Thomas, II. 328.
 Windsor, treasurer at, I. 245.
 Winterfelt, General, II. 407, 411.
 Wintoune, II. 102.
 Wishart, Mr., 86, 87.
 Wood, Mr., I. clxxvii.
 Wyntoun, I. xxiii; II. 443.
 YEAMAN, Mr., I. 70.
 Yester, Lord. *Vide* Marquis of Tweeddale.
 Yonge, Sir George, I. cclv.
 — John, Burgess of Dingwall, II. 320.
 — Thomas, his brother, II. 320.
 York, Duke of, I. lxxxiv, cv, cix, cxiii, cxxviii,
 3, 7, 32, 42, 76. *Vide* also King James
 the Seventh.
 — Archbishop of, I. 166.
 Young, Sir Charles George, I. cclxv.
 ZASTROW, Major-General, II. 399, 400.

INDEX

OF PLACES.

- ABERBROTHOC, I. xcii; II. 446, 447.
 Aberdeen, I. ccxvii, 225, 289; II. 46, 70, 79,
 191, 194, 213, 298, 381, 386, 395, 497.
 — diocese of, II. 321.
 — King's College, I. lxi, 133, 182; II. 95.
 — Marischal College, II. 95.
 — university of, I. xxvi, lxx.
 — shire, II. 298, 382, 386.
 Aberlady, II. 62, 165.
 Achillbui, II. 441.
 Achilty, II. 491.
 Achilnash (Auchnash), Fe-Leod or Leod's Myre,
 in, II. 468.
 — four merk land of, II. 490.
 Achnaplad, lands of, II. 337.
 Ach'n-ivie, a shealing on the water of Shallag,
 II. 461.
 Ach-ta-Skailt, II. 461.
 "Actæon," H.M.S., I. celi.
 "Ætna," H.M.S., I. celi.
 Aird, Strath of, I. ccxiii, 52; II. 306.
 — Easter (Estirharde), lands of, or Corbet's
 Land, I. xlvii, cxiii, cciv; II. 323, 331,
 332, 339, 425, 426-428, 429, 460.
 — Easter, town of, II. 323, 339.
 Aix-la-Chapelle, I. ccviii.
 Aley, garbal teinds of, II. 315, 316, 438.
 Allan, Bridge of, I. ccxxxviii; II. 387.
 Allanaich, lands of, II. 499.
 Allangrange, I. xxiii.
 Alloa, I. ccxvi, ccxxxviii, ccxxxix; II. 389, 390.
 Alness (Anas), Bridge of, I. ccxvii; II. 396.
 Alryn, Inch, II. 327.
 Alsace, Upper, II. 92.
 Amatnatua, II. 461.
 America, I. ccix, ccxxxi; II. 247.
 — plantations in, II. 357.
 Amsterdam, I. cciv, ccv.
 Angus, I. lxiv, clxxix, cxcii, 191, 282.
 Angria, I. ccix.
 "Annandale," the ship, I. 245.
 Arbroath. *Vide* Aberbrothoc.
 Arcot, siege of, I. ccliv.
 Ardelve, I. xxi.
 Arderseir (Ardersseir), garbal teinds and altar-
 age of, II. 315.
 Ardmanach, II. 145, 300, 301.
 — lordship of, I. cxxxiv; II. 503.
 — superiority of, II. 502.
 Ardnamurchan, cape of, I. clx.
 Ardross, I. xxiv.
 Argyle (Ergayethl), churches of, II. 316.
 — shire, I. cix, ccix, 33, 37, 41, 44-46; II.
 167.
 Arkeboll, lands of, II. 333.
 Arnee, East Indies, I. cclii.
 Arniston, II. 222.
 Arresaig (Arresack), I. 30.
 Assint, I. xxviii, xxix, xxxvii; II. 173, 441,
 442, 511, 512.
 — castle on the Isle of, I. lxi.
 Ath, in Belgium, II. 24.

- Athlone, I. 78.
 Athole, I. xlix, cexvii, 70 ; II. 192, 383, 508.
 ——— St. Bryde's church in, II. 473.
 "Atlas," East Indianman, I. ccl.
 Anchadaschaild, I. l.
 Anchanschellach, II. 486.
 Anchmuty, I. clxvi.
 Auchnahinach (Achnauich), loch of, I. xix ;
 II. 464.
 ——— Glack Chaillin at, I. xix ; II. 464.
 Aichtertyre. *Vide* Ochertyre.
 Achindrum, Lagan, I. xxxii ; II. 469, 491.
 Aghrim (Achrim), I. 78.
 Auldchoinachan, II. 503.
 Auldeirne (Aldern), I. xxvii.
 ——— battle of, I. 262.
 Aussig, II. 400, 410.
 Avoch (Avach, Awach), lands of, II. 499. *Vide*
 Farnese.
 ——— garbal teinds of, II. 316.
 ——— mill of, II. 499.
 Ayrshire, I. 312 ; II. 62, 115.
 Ayton, I. cexxxv.

 BADEBAA, II. 425.
 Badenoch, I. 80 ; II. 309, 395, 502.
 Balach Glasleod, II. 489.
 Balbirny Bridge, I. cxxix.
 Balblair, Easter, II. 458, 459.
 Balcaskie, I. 56.
 Balconie, I. 133 ; II. 478.
 ——— hcuse, II. 475-477.
 ——— mair's croft in, II. 429.
 Balencrieffe, I. cclx ; II. 155, 158, 174, 175,
 177, 245, 246.
 Balgonie, II. 129.
 Ballacherie, farm of, II. 460.
 Ballinasloe, I. 78.
 Balloch, I. 24, 44.
 Ballone, castle of, I. lxiv, cciv ; II. 427, 428.
 ——— lands of, II. 427.
 ——— in Lochbroom, I. l.

 Ballyemwldie, lands of, II. 436.
 Balmulloche, lands of, I. xxx.
 Balmungie, II. 499.
 Balnagowan, I. preface iii ; II. 234, 237, 431,
 470.
 Balquhain, estate and barony of, I. 131.
 Balquhiddel, I. 37.
 Balveni, braes of, II. 503.
 Balwery, II. 338.
 Bamberg, II. 402.
 Banchory, II. 79.
 Banff, I. 92 ; II. 395.
 Bannockburn, I. cexv, cexvi, cexxxviii, cexxxix ;
 II. 389-391, 394, 395.
 ——— house, I. cexvii, cexxxviii ; II. 388, 394.
 ——— battle of, II. 466.
 Bar le Duc, II. 162, 165.
 Barcelona, II. 6, 117.
 Barray, island of, I. xlv, xlvii.
 Barsebeck, I. cexliii ; II. 240, 241, 244.
 Baskapole, the, II. 399, 408, 409.
 Bass, the, II. 493, 494.
 Bath, I. 130, 131, 149, 210, 237 ; II. 274.
 Bavaria, I. 246.
 Beallachin Broege, II. 471.
 Beanston Muir, II. 159.
 Beaufort, I. preface bii, cexiv, 283 ; II. 284, 285,
 287, 288, 290, 291, 294, 295, 297, 298,
 300, 302, 304, 306, 308, 309, 311, 314,
 415.
 Beanly (Bewllie), I. cexvii ; II. 195, 396, 482, 492.
 ——— church of, II. 475.
 ——— convent of, II. 483.
 ——— Mackenzie's aisle in the church of, II.
 475, 497.
 ——— loch, II. 438.
 ——— priory of, II. 495.
 ——— river of, I. cexvii ; II. 202, 288, 304.
 Beauport, II. 257.
 Bedford, II. 6.
 Beil, I. 267.
 Belfast, I. preface xbii, 58, 73.

- Belmont, estates of, II. 422.
 Benbecula, I. 30.
 Benechau, II. 401, 402.
 Benechfield, lands of, II. 459.
 Bensort (formerly Bog Monroy), II. 327, 330.
 Ben Wyvis (Ben Uaish), I. xxvii, cccxix; II. 437, 438, 461.
 Berann, II. 408.
 Bergen, II. 6.
 Berlin, I. cexliii; II. 229, 231, 232, 239.
 Berwick, I. cccxxvii, 204; II. 381, 383, 386.
 — shire, I. lxxx.
 Bilboa, II. 6.
 Birks, the, in Berwickshire, I. lxxx.
 Bishofswerda, II. 411.
 Bishop's Shed, II. 499.
 Black Isle, the, II. 460.
 Blackness Castle, I. 236.
 Blair Castle, II. 188.
 Blair-na-park, II. 439, 478, 482, 489.
 Blairy, I. xxxi.
 Blenheim, battle of, I. clvi; II. 14.
 Bog Monroy. *Vide* Bensort.
 Boigis, I. lii.
 Bohemia, I. cexliv; II. 399, 406, 410, 411.
 Böhkish Leypa, II. 409.
 Bommel, I. 109, 123, 176.
 Boradale, I. preface xi, cexiii.
 Bordeaux, II. 6.
 Bosh (Bois le duc), II. 25.
 Bothwell Bridge, battle of, I. cxxix.
 Boudin, II. 407, 408.
 Boyne, battle of the, I. cxxvii.
 Brae (Brehe), lands of, II. 448, 449, 460.
 Braemore, estate of, I. l.
 Brae-Ross, I. xxxii.
 Brahan castle, I. preface ix, x, xviii, xxi, xxii, xxxiii, lxiv, cexiv, 30, 65, 66; II. 287, 291, 292, 294, 314, 439, 474, 475, 492, 496.
 — Little, lands and fishings of, II. 495.
 Brakaynorde, lands of, II. 327.
 Brandenburg, II. 406.
 Brandeis, II. 400, 407-409.
 Braychat. *Vide* Ferintosky.
 Breadalbane, I. 44.
 Brechin, I. 62; II. 221.
 — castle hill of, I. preface iii.
 Breinletter, lands of, I. xlviii.
 Brelochabber, I. 83; II. 286.
 Brest, II. 211.
 Bridport, I. cexlii; II. 226, 228.
 Brill (Briell), I. 99; II. 211, 421.
 Bristol, II. 6.
 "Britannia," H.M.S., I. 99.
 Brou, church of, II. 316.
 Bruges, II. 72, 76, 83.
 Brussels, I. cciv, ccv, 95, 110; II. 75, 76.
 Buchan, earldom of, I. xxvii.
 Bndin, II. 400.
 Burntisland, I. 271; II. 434.
 Burra, isle of, II. 512.
 Bute, feu-duties of, I. 256.
 CADBOLL (Catboll), lands of, I. 122; II. 460.
 Cadiz, II. 6.
 Caitlness, I. cexiii, cexix, cccx, cccxxvi, cexl, cexli, 24, 192, 312; II. 185, 212, 379, 397, 398, 425, 468, 475.
 — earldom of, I. xxvii.
 Calford, II. 263.
 Cambo, I. 285.
 Canada, I. lv; II. 253.
 Canonbie, parish of, I. 71.
 Cantra, I. 53.
 Carlisle, II. 383, 385, 389.
 — siege of, II. 382.
 Carlstad, II. 6.
 Carnatic, the, I. ccli, ccliii.
 Carolina, South, II. 255.
 Caroline Park. *Vide* Royston.
 Carrick, I. 41.
 Carrickfergus, I. cxxvii.
 Carron, the river, I. cexvi; II. 391, 461.

- Carthage, II. 38.
 Castelltirholme (Castle-tirrum), I. 30.
 Castle Bute, II. 508.
 Castle Grant, II. 168.
 Castlehaveu, I. lxiv, cclxi; II. 364-375, 426, 427.
 Vide also Port a' Chaisteil, Portmahomack.
 — barony of, II. 426.
 — town of, or Portmahomack, II. 426.
 Castleleod (Contaneloyd, Culchaloid, Culleleod), I. preface xb, xxv, xxvii, xxx, xlii, xlviii, lii, liii, lxiv, ccix, ccxxix, ccxxx, cccxxii, cclviii, cclxi, cclxii, 67; II. 234, 284, 285, 287, 288, 293, 304-307, 311, 360-375, 425, 433, 434, 436-439, 461, 492.
 Castle Lyon, I. 94.
 Castleton, parish of, I. 71.
 Chanonry (Chanry), I. 1, 65, 66, 68, 278; II. 102, 436, 441, 476, 495, 499.
 Charleston, II. 256.
 Chaslau, II. 404.
 Chateau Thierry, II. 162, 165.
 Chatham, I. 98, 99.
 Chelsea, I. cexlviii.
 Chingleput, East Indies, I. ccliv.
 Choultry Plain, near Madras, I. cclv.
 Circars, Northern, I. ccli, cclii.
 Cleves, duchy of, II. 241.
 Cliefden, I. cclxi.
 Clifton Muir, near Penrith, II. 382.
 Clone, garbal teinds of, II. 316.
 Cluny, II. 309.
 Clyde, the river, I. 271, 282.
 Coigeach, barony of, I. preface xb, xix, xxv-xxxiii, xxxvii, xxxviii, xliii, xlviii, cciii, cclviii; II. 148, 173, 219, 287, 425, 440-442, 461, 467, 468, 498, 511, 513.
 — Stack, Cumhill-Mhor, and Big Rock, mountains in, II. 442.
 — valleys of Stratheanuard and Rhidorach in, II. 441, 442.
 — Western, II. 441.
 Coigeach, fishings in, I. cciii.
 Colgarth, I. xxvii, xxviii.
 Collin, II. 404, 405.
 Cologne, I. lxxiv.
 Comery, II. 491.
 Commetan, II. 399.
 Conan (Conin), water of, II. 145, 220, 305, 461, 480.
 — Bridge of, II. 461.
 — salmon-fishing on, I. 69; II. 461.
 Conjeveram, I. ccli-ccliv.
 Contin (Containe), II., 478, 499.
 — kirk of, II. 478.
 — parish of, I. xlix, l.
 Copenhagen, II. 6, 241.
 Corrievunlie, land of, II. 490.
 Corriuarnich, Ald, II. 487.
 Corristone, II. 487.
 — loch of, II. 487.
 Corry-yarriek, hill of, II. 380.
 Cossomitz, II. 405, 406.
 Cotta, II. 399, 410, 411.
 Coull, II. 144, 171.
 Counlain, I. 153.
 Courtray, camp near, II. 24.
 Cowden (Coudoune), II. 124.
 Cowla Begg, isle of, II. 512.
 Coyt Reyvis, lands of, II. 327.
 Craiglascair, I. 120.
 Craigniffich, II. 479.
 Craig-Phadric, II. 438.
 Craigwood, II. 499.
 Cramond, parish of, I. 186; II. 108, 126, 451.
 — water of, II. 455.
 — Bridge of, II. 455.
 Crieff, II. 387, 395.
 Cromartie (Cromarty, Crombathy, Crumbathyn, Crwmbawchty), I. preface ii, xiii-xb, xlviii, xix, xxiv, ccxlv, cclxi, 56, 278; II. 102, 156, 158, 237, 255, 319, 322, 341, 360-375, 413, 415, 422, 423, 431, 458-461.

- Cromartie, altarage of, II. 316.
 — barony of, I. xiii, xiv ; II. 412-416, 443-450.
 — burgh of, II. 324, 325, 334, 335, 336, 341, 450, 459.
 — Carne, the, at, II. 336.
 — castle, I. preface xiv ; II. 417, 419, 433, 443-450.
 — davach of Fernenes in, II. 445, 446.
 — earldom of, I. preface xv, xix, cciv, ccxxvii, ccxxx, cexlvi-cexlviii, celvi, celix-celxi ; II. 434.
 — garbal teinds of, II. 315, 438.
 — Girmel house at, II. 415, 416.
 — lands in Ross annexed to the shire of, I. preface xv ; II. 458-461.
 — various lands in burgh of, II. 335, 336, 340, 341.
 — Moot Hill of, I. preface xib.
 — the Nesche or Ness at, II. 336, 416, 501.
 — port of, II. 415, 416, 443.
 — St. Regulus chapel in, II. 450.
 — salmon fishings in, II. 443.
 — old shire of, II. 458.
 — tenement in, II. 341, 342.
 — Bay, II. 207, 211, 212.
 — Firth, I. preface xiii ; II. 429, 438.
 — Roads, I. cexix.
 Cromdale, I. cxix.
 Culbo, Wester, II. 499.
 Culbockie, I. l.
 Culcowy, I. lii.
 Cullen House, II. 129.
 Cullicudden, kirklands of, II. 437, 499.
 — farm of Easter St. Martins, in the parish of, II. 458.
 — farms of Cullicudden, Craighouse, Tobirchurn, Brea, Woodhead, and Easter Culbo, in the parish of, II. 460, 461.
 — town of, II. 476.
 Cullnichmeanoch, I. l.
 Culloden, II. 186-190, 294.
 — barony of, I. xxvi.
 — battle of, I. cexix, cexxiii.
 — house, I. cexiv, cexvii ; II. 396.
 Culm, II. 490.
 Cumberland, II. 62.
 Cumbræ (Comra), feu-duty of, I. 256.
 DALFOLLY, I. cexlviii.
 Dalgety (Dagaty), I. 147.
 — church of, I. IIS.
 Dalkeith, I. lxxi ; II. 260, 261, 271-273, 276, 279.
 — bailiary of, II. 123.
 — house, II. 269, 456.
 — lordship of, II. 128.
 — park, II. 262.
 Dalkoig, I. xiv.
 Dantzic, II. 232, 233.
 Davachearlie, II. 73.
 Daviston, II. 325.
 Davochmaluak (Dochmaluak), I. 127.
 Davochnaclerich (Dachnacleroch), davach lands of, II. 436, 437.
 Darnaway, II. 292.
 Deal, I. 98.
 Deir, II. 465.
 Delft, I. 99 ; II. 421.
 Delnatua, merk land of, II. 490.
 Delny (Delgeny, Delgny), lauds and barony of, II. 10, 331, 376, 377, 425, 426, 429, 430, 459.
 — castle of, I. preface xlviii ; II. 430.
 — dominical land of, II. 320, 321.
 — mill of, II. 144.
 — mosses of, II. 145.
 Denmark, I. cexliv, 171 ; II. 254.
 Denoven, two merk land of, II. 445.
 Derby, II. 352.
 Dettingen, battle of, II. 379.
 Devonshire, I. cexlii, cexliii ; II. 228, 229, 231, 437.

- Dingwall (Dynguale), I. preface xix, xxx, l, liii, cli, clii, clxxix, cexvii, celvi, 230, 276 ; II. 144, 145, 152, 179, 192-194, 199, 200, 203, 246, 247, 296, 299, 300, 302, 318, 322-330, 345, 396, 418, 428, 430, 436, 448, 461, 470.
 — castle of, II. 438, 470, 473.
 — church of, I. clxxiv, 234 ; II. 486.
 — churchyard of, I. li, lxiv, clxxiv-clxxvi.
 — hill of, I. preface iii.
 — parish of, II. 50.
 — the Bog in, II. 330, 333. *Vide* Bensort.
 — lands in, II. 328-330, 333.
 — mill at, II. 325, 326, 328, 333, 345.
 — Lord Cromartie's monument at, I. preface xbi, clxxiv.
 Dingwall and Golspie railway, II. 431.
 Donan, castle of. *Vide* Ellandonan.
 Donibristle, I. 139.
 Dornoch, I. lxxii, cexviii, cecx, cexxi ; II. 397.
 — cross of, I. lxxiii.
 — Gallows Hill at, I. cecx.
 — links of, I. lxxiii.
 Dorsetshire, I. 48.
 Doune castle, I. cexxxvii ; II. 386.
 Douvenes, II. 254.
 Dowart, barony of, I. xlv, lii.
 — house of, I. 84.
 Down (Doun), St. Patrick's in, II. 506.
 Downielarne, I. xlvii.
 Dresden, II. 240, 242, 244, 411.
 Drumlanrig, I. cxi.
 Drummeddat, II. 73.
 Drummond, II. 191.
 Drumnarnage, II. 466.
 Drumvaich, lands of, I. xlviii.
 Drylaw, lands of, I. preface xbi, xbi.
 — Craigleith Quarry on, I. preface xbi.
 Drynie (Dryne), lands of, II. 436, 492.
 — lands of Easter, II. 436.
 Dublin, II. 506.
 Duddingstone, I. cexxxv.
 Duich, Loch, I. xxiii.
 Dumbarton (Dumbritton), castle of, I. lxxiv, 204, 272 ; II. 496.
 — cross of, I. lxxiv.
 — shire, I. lxxiv.
 Dumfries, II. 78.
 Dunbar, I. cxiv ; II. 165, 381.
 Dunblane, I. cexv, cexxxviii, cexxxix ; II. 191, 386, 388, 389, 390, 395.
 Dundee, I. lxviii, 266 ; II. 449, 503.
 Dunfermline, abbey of, I. preface iii.
 Dunipace, I. cexvi ; II. 391.
 Dunkeld, I. 90, 184, 190, 199 ; II. 170.
 Dunkirk, I. 236 ; II. 380.
 Dunollich, I. 57, 60.
 Dunrobin castle, I. cexviii-cexxiii, cexli, cexlviii ; II. 74.
 — Cromartie Room at, I. cexxi.
 Dunskaith, castle of, I. preface ii ; II. 438.
 Dunstaffnage, II. 472.
 Dunturn, I. 128, 132.
 Dunvegan, I. lxxv.
 Duny, farm of, II. 461.
 EAST INDIES, I. 271.
 East Park, II. 276, 279.
 Eddertown (Edirthayn), garbal teinds of, II. 316.
 Eddirachilis, II. 466.
 Edgebucklingbrae, I. xc.
 Edinburgh, Abbey Hill, in, I. 289.
 — Advocate's Library, in, I. clxxxviii ; II. 424.
 — Canongate of, I. cxxviii, 151.
 — Carrubber's Close, in, I. cciv.
 — castle of, I. lv, xc, cxi, cci, 43, 61 ; II. 147, 456, 483.
 — Craig's Close, in, I. cxcii.
 — cross of, I. cxcii.
 — deanery of Chapel Royal, at, I. 186.
 — Greyfriars' Churchyard, at, II. 423, 424.
 — Heriot's Work, in, II. 125.

- Edinburgh, High Street of, I. cciv ; II. 457.
 — Lawnmarket (Laud mercat) of, II. 457.
 — MacMorran's Close, in, II. 457.
 — Nether Bow of, I. ccvi.
 — North Loch, at, II. 456.
 — parish of Canongate, in, I. cccxxiii.
 — Canongate Churchyard, in, I. cccxxiii, cclviii.
 — parish of St. Cuthbert's, in, II. 452.
 — Parliament Close, in, I. ccxiii ; II. 457.
 — Parliament House, at, II. 424.
 — St. Giles' Church, in, I. lxxx.
 — Tron Church, in, I. cciv, ccvi.
 — New Town of, I. preface xviii ; II. 456.
 — Tolbooth of, I. xlvi.
 Edirdore (Ethirdover), castle of, or Redcastle, I. preface ii ; II. 438.
 — parish of, now called Killearnan, II. 438.
 — garhal teiuds of, II. 316, 438.
 Egra, I. ccxiv ; II. 399, 400, 407, 408.
 Eig, I. 30.
 Eioncollan, East Indies, I. ccliii.
 Elbe, the, II. 399, 400, 406, 407, 408-411.
 Elcho, I. cxliv.
 Elgin (Elgyne), I. ccclix, 56, 61, 62, 127 ; II. 146, 200, 447, 486, 497, 498, 504.
 — Cathedral church of, II. 449.
 Ellandonan (Ille Dantan, Island Donan), barony of, I. ix, xxi ; II. 490.
 — castle of, I. xii, xix, xxiii, xxiv, lxxvi ; II. 462, 466, 467, 478, 488, 490, 496.
 Elphinston, I. 172.
 Emmerick, II. 235, 239, 241.
 Erroll, II. 18.
 Escadell, four merk land of, II. 490.
 Esk, river of, II. 382.
 Eskdale, II. 124.
 Estirseton (Easter Seton), II. 321.
 Ethie, II. 17, 36, 37.
 — house, I. xcii.
 Ethirdover. *Vide* Edirdore.
 Exeter, II. 6, 225.
 FAIRBURN, I. lii ; II. 488, 495.
 — Wester, I. lii ; II. 487.
 Falkirk, I. ccxvi, cccxxviii-cexl ; II. 388, 393-395.
 — hattle of, I. ccxvi, cccxxvi, cexl ; II. 391-394.
 Fannich, forest of, I. xxviii ; II. 179.
 — loch : Fannich and Nied, a sheep-farm on the shore of, II. 461.
 Farnese (Farnes), Little, II. 422.
 — lands of, II. 499.
 — *alias* Avoch, II. 422, 423.
 Fealoid, II. 511.
 Fearu (Ferne, Nova Farina), ahhey of, II. 376, 377, 429, 432.
 — Kalendar of, II. 431, 449.
 — manor place of, II. 432.
 — Little, lands of, II. 437, 459.
 — parish of, I. cxiii ; II. 450, 460, 461.
 — in Strathcarron, II. 429.
 Fernewyre, marsh of, II. 449.
 Ferntosh, II. 198.
 Ferroll, hill of, II. 485.
 Ferry, Little, I. ccxx, ccxxi, cexli ; II. 397.
 — South, I. 118.
 Feryntosky in Braychat, II. 343, 344.
 Fettercairn, I. 237.
 Fetternier, I. 131, 173.
 Fife, I. lv, lxxviii, cxiv, cxxviii, cxxix, ccxv, cccxxviii, cccxxviii, cexlviii, 54 ; II. 191, 338, 387.
 Findhorn, II. 211.
 Findon, I. 1.
 Finland (Findland), I. ccxiv, cexlvi ; II. 235, 241.
 Flanders, I. ccviii, 81, 85, 108, 109, 185, 209 ; II. 26, 33.
 — camp in, I. 81.
 Fleet, Loch, I. ccxx.

- Flodden, battle of, I. preface ii ; II. 489, 490.
 Fodderty (Fodarty, Fotherdy), lands of, I. xix ; II. 492.
 — boundary of, II. 327.
 — burial ground at, II. 439.
 — garbal teinds of, II. 316, 438.
 — kirktoon of, II. 425, 436.
 — mill of, II. 492.
 — parish of, I. xxvii, cxiii ; II. 438, 439, 461.
 — Temple Croft at, II. 439.
 Ford . . . , altarage of, II. 316.
 Forbes, I. 62 ; II. 447.
 — castle of, II. 472.
 Fort Augustus, II. 198, 286, 380.
 Forth, the river, I. cexvi, cexxxvii-cexxxix ; II. 70, 188, 380, 386, 387, 390, 395, 473, 496.
 — Firth of, I. cexix ; II. 62, 162, 451, 452, 456.
 Fort George, I. ccl.
 Fortnathe, land of, at Cromartie, II. 335.
 Fortre, II. 321.
 Fortrose, I. 63, 125, 126 ; II. 145.
 — lands of the town of, II. 460.
 Fort St. George, India, I. cclii, ccliv-cclvi.
 — Monument to Hon. George Mackenzie at, I. cclvi.
 Fort-William, I. 72, 82, 124, 210, 212.
 Fosterage, Gaelic contract of, I. xxxv.
 Foulis, II. 192, 194.
 — house of, I. preface xvii, cci ; II. 146, 193.
 France, I. xxii, xlv, 47, 73, 148 ; II. 6, 165, 166, 284, 379, 380, 384, 394.
 — ports of, II. 211.
 Fraserdale, I. lxiii.
 Freivater, forest of, II. 180.
 Frews, ford of the, I. cexv, cexxxvii ; II. 386, 395.
 GABEL, II. 409.
 Gaik, forest of, I. 80.
 Gairloch, I. cciii ; II. 148, 149, 230, 489.
 Galloway, I. 312 ; II. 506-508.
 Galway, I. 78, 81.
 Gambia, I. ccli.
 Garbet, shealing of, II. 436.
 — lands of, II. 473.
 — one merk land of, II. 490.
 Garive, lands of, II. 473, 490.
 Geanies, barony of, II. 376, 377, 432.
 — Easter, lands of, II. 432.
 — Middle, II. 432, 460.
 — Wester, I. cxiii.
 Gelyanisdan, II. 325.
 Genope (Genep), I. 85, 87.
 Geos, II. 411.
 Germany, I. preface ix, 47 ; II. 399.
 — Leslie estates in, I. 131.
 Ghent, I. 85 ; II. 72, 76, 83.
 Gibraltar, I. ccviii, ccl.
 Glac Chailein, I. xix.
 Glammis, kirk of, I. ccv.
 Glasertoune, I. 170, 171.
 Glasgow, I. xxxi, xlv, lvi, lxxxviii, cexvi, cexxxvii, cexxxviii, cexlix, 33, 38, 41, 180, 194, 198, 208, 224 ; II. 383, 389.
 — Episcopalian meeting-house in, I. 194.
 — University of, II. 442.
 — Kiots in 1703 at, I. 180, 193, 198.
 Glaslettir, II. 489.
 Glencoe, I. clxxxii, 114.
 — massacre of, I. 114, 117.
 Glenelg, I. clxxxviii.
 Glenfinnan, I. preface xi, ccxiii.
 Glengarry, I. 211 ; II. 286.
 Glenlivet, II. 503.
 Glenmore, II. 179.
 Glenmoriston, II. 286.
 Glenshiel, I. preface ii.
 — battle of, I. xx, xxi, xxiv, ccii.
 Glenskiach (Glenskanyth), II. 425, 436.
 Glennrchy, I. 44.

- Golspie, I. cccxii.
 — church of, I. cccx.
 — tower, I. ccxxi.
 Good Hope, Cape of, I. 271 ; II. 312.
 Gordon Castle, I. 79.
 Goree, island of, I. ccl.
 Görlitz, II. 411.
 Gotliebe and Gesliebe, Passes of, II. 411.
 Gottenburg, I. ccxlv ; II. 240.
 Grampians, Passes of the, I. cci, ccxxxii ; II. 146.
 Granton, lands and barony of, II. 451, 454.
 — harbour, I. preface xx ; II. 451, 456.
 — house (Granton Crag), II. 451, 456.
 — Easter (or Royston), II. 451, 452, 454, 456.
 — Wester, II. 451, 456.
 Gray (William), lands of, at Dingwall, II. 327.
 Greenock, I. 73.
 Greenwich, I. 98.
 Greenyards, II. 461.
 Gruinard Isle, II. 149, 461.
 — the farm of Meikle, II. 461.

 HADDINGTON, I. cxiv ; II. 159, 164, 165, 245.
 Hague, the, I. 99 ; II. 113, 254, 394, 421.
 — the Prince's palace at the, I. 99.
 — Portland's gardens at the, I. 99.
 Halidon, battle of, II. 469, 485.
 Halifax, Nova Scotia, II. 255.
 Ham, I. c, cviii, 19.
 Hamburg, I. ccxliii, 100 ; II. 229, 230, 240, 241, 244.
 Hampton Court, I. lxxxvi, xci, cxxx, 3, 242, 245.
 Hanover, II. 380.
 Hard-Hill, lauds of, II. 340, 341.
 Harlaw, battle of, II. 469, 471.
 Harris (Herries), island of, I. xxxiii ; II. 509, 510, 511.
 Harwich, II. 6.

 Hawick (Haick), I. 71 ; II. 124, 126, 262.
 Hebrides, the, I. preface ii.
 Heidelberg, I. 246.
 Helmsdale, I. ccxix.
 Helsingfors, I. ccxlv ; II. 241.
 Hempriggs, I. xlvii.
 Hesse, I. clxxxvii.
 Hilltonn, farm of, II. 460.
 — (Skardy), farm of, II. 460.
 Hirta and Rona, islands of, I. cxc.
 Holland, I. cvi, cxv, cxxiv, cxxviii, cxxix, cxix, 47, 55, 56, 98, 99, 235, 236, 248, 282 ; II. 44, 59, 60, 79, 420.
 Holyroodhouse, I. lxxxiii, lxxxvii, xcii, civ, cxix-cxxi, cxxviii, 7, 115, 161, 197, 199, 202, 229, 248 ; II. 471, 474, 494, 495, 498.
 — Chapel at, I. cxix-cxxi.
 — Sanctuary of, I. cxlii.
 Honiton, Layhill House at, II. 225, 226, 231.
 Hopetoun House, I. 161 ; II. 98.
 "Hound," H.M.S., I. ccxviii, ccxxiii.
 Hungary, I. 47.
 Huntingdon, II. 6.
 Huntingtower, I. 191, 199.

 INSTER, Rath Castle in, II. 507.
 Ellandonan. *Vide* Ellandonan.
 Inch, lands of, II. 499.
 — Miln of, I. 153.
 Incheolm, II. 471.
 Incheure, lands of, II. 320, 331.
 Inchrorie (Incherury), lands of, I. xxx, l, cxlii, 154 ; II. 317-319, 425, 436, 437.
 — Alehonse Croft in, II. 437.
 — manse, II. 319.
 — mill and mill lands of, II. 436.
 — St. Mary's Chapel in, II. 319, 320, 437.
 Inchveandie (Inchvanie), lands of, I. xxx, xlviii ; II. 425, 436.
 Innerathy, lands of the town of, II. 339.
 Innerteil, I. lxiv, lxxviii.
 Inverafean, garbal teinds of, II. 316.

- Inverary (Innerare), I. xxxiv, 45.
 Inverbreackie, afterwards called Invergordon, I. cci, ccxlviii; II. 146, 212.
 Invercarron, I. l.
 Inverchoran, II. 492.
 — three merk land of, II. 490.
 Inveresk, I. 200.
 Inveren, in Lochbroom, II. 467.
 Invergarry, four merk land of, II. 491.
 Invergordon, formerly Inverbreackie, I. ccxlviii, cclvii; II. 178, 212, 234.
 — Ferry, II. 458.
 Invergordonness, I. ccxviii.
 Inverkeithing, teinds of, I. 120, 121.
 Inverlawl, I. l, lvi.
 Inverlochy, in Lochaber, I. 184; II. 471.
 Invermeine, three merk land of, II. 490.
 Invermoriston, I. cxxxix, 136.
 Inverness (Innernis), I. preface, xix, lviii-lxii, clxxv, cxcvii, cci, ccxiv, ccxvii-ccxix, ccxxiii, ccxxviii, ccxxxiii, ccxxxviii, 56, 62, 72; II. 102, 146, 148, 156, 168, 192-213, 219, 220, 283, 285, 294, 309, 310, 322, 328, 329, 331, 380, 381, 386, 388, 395-397, 418, 434, 436, 438, 441, 447, 466, 471, 473, 492, 497.
 — castle at, II. 397, 471.
 — various lands in burgh of, II. 328.
 — shire of, I. lx, lxi; II. 321, 322, 331, 343, 449, 472.
 Inversteall, II. 471.
 Inverugie (Innerugy), I. 213.
 — parish church of, II. 321.
 Inverury, II. 386.
 Iona (Hy, St. Colme's Isle, Icolmkill), I. xlvii; II. 482, 507, 508.
 — lands in, I. xlvi, xlvii.
 — manuscript of, I. x, xii, xvi; II. 463, 482.
 Ireland, I. x, xii, xvi, xxi, xliii-xlvi, lvii, cxxii-cxxvii, cxxx, ccviii, 47, 64, 73, 86, 263; II. 62, 162, 167, 472, 486, 487, 505, 506.
 Iser, the, II. 409.
 Islay (Ila), I. xli, 36, 45; II. 449, 504.
 — Finlagan, in, II. 511.
 Isle Martin, II. 461.
 Isles, the, I. 83; II. 474, 507.
 — lordship of the, I. xxiv.
 JAMAICA, II. 219, 258.
 Jersey, I. ccl.
 Jernsalem, II. 505.
 Jung Buntzlau, II. 409.
 Jura, isle of, I. 73.
 KARWATETZ, II. 400.
 Keddetolle, II. 318, 436.
 Keith, II. 205, 211.
 Kellie, I. 289; II. 118.
 Kelso, II. 162.
 Kelziesokell, fishings of the water of, II. 343.
 Kenchillish, North, II. 441.
 — Doune Cann, on, II. 441.
 Kendal, II. 167.
 Kenloch Beandachar, II. 490, 491.
 Kenlochow (Kenlochow), II. 286, 287, 467, 468, 471, 473, 488.
 Kennoway, I. 207.
 Kensington, I. 254, 257, 267; II. 70, 358, 378.
 — Palace, I. ccxxvi.
 Kent, I. 124.
 Keppoch (Kappach), I. 153.
 Kernburg, fort of, I. 84.
 Kessock, I. 121, 122.
 Kettle, teinds of, I. 175.
 Kirkmichael, parish of, II. 458.
 — farm of Easter Balblair in, II. 458.
 Kilchrist, church of, I. xxxii.
 Kilcolderum, II. 320, 473.
 Kildins, II. 492, 498.
 Kildoune, lands of, II. 333.
 Kildrummy, II. 465.
 Kilgour, lands of, II. 338.
 Killearnan, parish of, I. preface ii, lvi; II. 288, 290.

- Killearnan, lands of, II. 499.
 Killianan, three merk land of, II. 491.
 Killyn, I. xix; II. 473, 497.
 — four merk land of, II. 490.
 Kilmuir (Kelmureh), I. l, cxiii, cxi.
 — parish of, I. 138.
 — church of Easter, II. 430.
 — Cromartie aisle in, I. cclxi.
 — Monro aisle in, II. 430.
 — garbal teinds of, II. 315.
 — parish of Easter, II. 429, 460, 461.
 — Priesthill in, II. 460, 461.
 — South, garbal teinds of, II. 315.
 Kilravock, I. lx.
 Kilsyth, I. cccxxviii, 216; II. 388.
 Kinbeachie, lands of, II. 499.
 Kincardine on the Dee, I. xi, xvii; II. 464.
 — on Forth, I. ccxvi, cccxxix; II. 389, 390.
 — the parish of, in Strathecarron, II. 429, 461.
 Kinchuldrum, II. 491.
 Kinetties (Kenneythes), I. cxiii.
 — garbal teinds of, II. 316, 438.
 Kinghorn, I. lxxviii, cxxix.
 Kinkell, II. 196-198.
 Kinlochnichart, I. l.
 — (Kenlochlychart), lands of, II. 473, 490.
 Kiunardy (Kinardie, Kunardy), court held at, II. 318, 322, 332, 430, 436.
 Kinneil, I. 94.
 Kinnellan, I. l; II. 439, 474, 475, 477, 478, 480, 481, 484, 485.
 Kinnock, I. lii; II. 502.
 Kinross, I. 70, 147, 148, 269, 288.
 Kintail, lands and barony of, I. preface xlviii, ix-xii, xiv, xv, xix-xxiii; II. 462, 464-466, 468, 469, 471, 472, 474, 478, 484, 488-490, 496.
 — forty merk land of, II. 490.
 — parish of, I. xxiii.
 Kintyre, I. 36, 38, 39, 45, 46; II. 473, 507.
 Kisemull, fort of, I. xliii, xlv.
 Kischrin (Kisseran in Lochcarron), lands of, II. 343, 467.
 Kirkmichael, parish of, II. 458.
 Kirkskeith, lands of, II. 499.
 Kirkwall, II. 509.
 Knapdale, II. 473.
 Knocknain, I. 153.
 Knock Farril Hill, II. 438.
 Knoydart (Kuodiert), I. 83.
 Köningshall, II. 402.
 Kyndrocht, the middle part of, II. 321.
 Kyppen, laud of, II. 445.
 LADOCCHOGITH, lands of, I. xxix.
 Laggan Auchindrum. *Vide* Auchindrum.
 Laidcattath, the, II. 336.
 Lamheth House, I. 89.
 Lammermuir gold, I. 76.
 Lancashire, II. 167.
 Lancaster, II. 382.
 Landen, I. 95.
 Landscroua, II. 240.
 Langside, battle of, II. 496, 497.
 Largs, battle of, I. x-xii; II. 462-464, 509.
 Larne, near Belfast, I. 73.
 Laurenceberg, II. 403.
 Layglands, lands of, II. 341.
 Layhill, in Devonshire, I. cccxxviii; II. 225, 226.
 Leadgown, II. 466.
 Lealdy, lands of, II. 499.
 Learn, lands of, II. 499.
 Leckmelme, I. l.
 Leeward Islands, I. ccli.
 Leffinghen, II. 76, 83.
 Leith, I. lxiii, cxxix, clxxxv, 56, 86; II. 126, 149, 416, 434, 452, 455.
 — Kirkgate of, I. cxcvii.
 — liuks of, I. clxxxvi.
 — South, I. 86, 87.
 Leitmeritz, II. 408-410.
 Lempuelar, garbal teinds of, II. 316.

- Lennox, estate of, I. 224, 256, 258.
 Leslie, I. 148.
 Leuze, camp of, II. 94.
 Lewis, I. x, xv, xx, xxi, xxv-xliii, lix, clxi, cclxiii, 67; II. 142, 440, 441, 467, 468, 504-513.
 — Collection of Seaforth rents in, I. xl.
 Leyden, I. 99, 100; II. 421.
 Linay, II. 399, 410.
 Lindores, abbacy of, I. 196.
 Liulithgow, II. 154, 164, 393, 492.
 Lisbon, II. 117.
 Lisle, II. 24, 74,
 Lissau, II. 409.
 Liverpool, II. 148.
 Lochaber (Lochabbor), I. 73; II. 286, 471.
 — Braes of, I. 124.
 Loch Achall, in Glen Rhidorach, II. 442.
 Lochalsh (Lochels, Lochesh), lands of, I. xxiv; II. 342, 343, 464, 495, 498, 503.
 Locharrigack, II. 286.
 Lochbroom (Lochbrene), I. xxvii, l, lxxi, cciii, ccxl; II. 148, 149, 287, 343, 398, 440-442, 461, 467, 468, 473, 492, 498.
 — the Aird, or height of Coigeach, in, II. 442.
 — the Laigh in, II. 442.
 — the Little Strath in, II. 442.
 — Little, II. 461.
 — kirklands of, II. 495.
 — fishings in, I. cciii.
 Lochcarron, I. 306; II. 467, 486.
 — lands of, II. 343, 498, 503.
 Lochfyne, I. 45, 46.
 Lochgair, I. lxxiv.
 Lochleven castle, II. 496.
 Loch Long, I. xxiii.
 Loch Maree (Mourii), II. 467.
 Loch Ness, I. clxxxviii, 41.
 — valley of, II. 438.
 Lochow (Lochew), I. ccii, 44; II. 148.
 Lochslinc (Locheye, Lochlin), castle of, I. lxxvii, lxxviii, lxxi, cxli.
 Lochsline, lands of, I. lix, cxlv; II. 460.
 Lochuirm, head of, I. cxxxix, 136.
 Logibride, garbal teinds of, II. 316.
 Logie, I. cxiii; II. 460, 461.
 — Free Church manse of, II. 431.
 London, *passim*.
 — Covent Garden, Bedford Court in, II. 73.
 — docks of, I. preface xlviii.
 — the Gate House, in, I. 284.
 — Holborn, in, I. 207.
 — Leicester House, I. ccxxvi.
 — Margaret Street, II. 248.
 — Middle Temple, I. cxiii.
 — Piccadilly, II. 232.
 — Poland Street, I. ccxxxi; II. 255.
 — St. James', I. 31; II. 70, 352, 353, 355, 360.
 — St. Margaret's Hill, I. ccxli.
 — St. Martins, I. cli; II. 82.
 — Smyrna Coffee-house, II. 182.
 — Soho Square, II. 91.
 — the Tower of, I. lxxii, cvi, ccxxiii, ccxxiv-cxxix, cxcli, 250; II. 215-221, 261, 381.
 Longville, II. 253.
 Lorraine, II. 163.
 Lothian, I. 187, 306; II. 60, 132, 452.
 — East, II. 164.
 — Mid, I. cciv; II. 165.
 Lovat, I. 56; II. 478, 481, 486.
 — estates of, I. lxiii, cclvi.
 Lowositz, II. 399, 408, 410.
 Lubeck, camp of, I. 96.
 Lukowitz, II. 408.
 Lulcaldrum, should be Kilcaldrum.
 Lusatia, II. 399, 409, 410, 411.
 Lyons, II. 6.
 MADAGASCAR, II. 2, 7, 9, 15, 43.
 Madras, I. ccli, ccii, cclvi.
 Malmoe, I. ccxlv; II. 236.
 Man, Isle of, II. 504-511.
 — Abbey of Farnes (Fournes) and Rushin, in, II. 506, 507-509.

- Man, Douglas (Duffglas), in, II. 507.
 — Port of Ramsay, in, II. 504, 506, 507.
 — Ragnolwatch, in II. 508, 509.
 — Rognowhalfe, in, II. 508.
 — Rushin Castle, in, II. 509.
 — Snaefell Hill (Scafavell), in, II. 504, 505.
 — St. Patrick's, in, II. 505, 509.
 — Trinity Church, in, II. 509.
 — Tynwald (Tingwall), in, II. 508, 509.
 Manchester, II. 382.
 Mar, forest of, I. xvii, xviii; II. 464.
 — earldom of, I. xxxvii.
 March estates, I. cxlv.
 Marmelon, India, I. ccliv.
 Maristoun, I. 121.
 Marseilles, II. 6.
 Maryborough, I. 73.
 Mearns, I. clxxix.
 Meddat, I. cxiii, clxi; II. 10, 219.
 Medylwod, the, II. 325.
 Meignanes (Meigimes), II. 509, 510.
 Mein, four merk land of, II. 490.
 Meldrum, Old, I. cexvii; II. 191.
 Mellabost, I. liii.
 Melnik, II. 409.
 Melville (Maluil) Castle, I. cexlviii.
 — house, I. cxxviii, 201.
 — manor place of, II. 451.
 Menstrie, I. lv.
 "Mermaid," H.M.S., I. 39.
 Metheisfield, ditch of, II. 325.
 Mewse, II. 259-261, 264, 265.
 Midlothian, I. cciv.
 Mikowitz, II. 408.
 Milntoun of Meddat (Meath), lands and barony
 of, I. cciii; II. 425, 426-432. *Vide* also
 New Tarbat.
 — castle of, I. clxxiii; II. 430, 431.
 — Callich or Galley stone at, II. 431.
 — Drowning Pool at, II. 431.
 — gallowshill of the barony of, II. 431.
 — Pipers' Mount at, II. 431.
 Milntoun of Meddat, town of, II. 426.
 — fishings in, I. cciii.
 Minden (Minnau), II. 240.
 — siege of, II. 24.
 Minorca, II. 74, 258.
 Mogstot house, II. 293.
 Moldau, II. 400, 401, 402, 404.
 Monimail, I. cxiv, 53.
 Mons, I. 77; II. 24.
 Montmorency, II. 251.
 Montreal, II. 250.
 Montrose, I. cxiv, cexv; II. 384.
 Moorpark, II. 265, 266, 275.
 Moravia, II. 404.
 Moray (Murray), I. xxxi, xliii, cexviii; II. 207,
 292, 444, 473.
 — earldom of, I. xxvii; II. 447.
 — firth of, I. cexviii; II. 397.
 Morrich Mor, the, II. 460.
 Morverne, I. xlv.
 Mount Gerald, I. l.
 Moy, lands of, II. 495.
 Moydart (Modiert), I. 30, 48, 83; II. 380, 474.
 Moyhall, II. 395, 396.
 Mull, Isle of, I. xlv-xlvii, 47, 250; II. 119.
 — Sound of, I. 39.
 Munlochy, I. l.
 Murkle, I. 191; II. 134.
 Murrayland, I. lx.
 Murthly, I. xvi; II. 424.
 Musltoun, II. 280.
 Musselburgh, coal at, I. 121.
 NAIRN, I. cxxxix, 136; II. 427, 447.
 Namur, siege of, I. 174.
 Neid aud Monar, lands and forest of, II. 492.
 Neidpath, I. cxlv; II. 163.
 Nerva, II. 6.
 Ness, Loch. *Vide* Loch Ness.
 Ness of Chanonry, II. 499.
 Netherlands, Austrian, II. 379, 380.
 Neuschloss, II. 409.

- Nevatye, village of, II. 335, 336.
 Newcastle, I. 236 ; II. 6, 168, 382.
 New England, lands in, I. cxiii.
 Newhall, I. cclx, cclxi.
 Newich, garbal teinds of, II. 316.
 New Jersey, East, I. cxii, cxiii, 31-33.
 Newmarket, II. 26.
 Newtarbat. *Vide* Tarbat.
 Newtyle, I. 182.
 New York, I. cxii, 32.
 Nieuport, II. 24, 76.
 Nigg, garbal teinds of the church of, II. 316, 438.
 Nollendorf (Nollesdorf), I. ccxlv ; II. 399, 408, 410, 411.
 Nore, the, I. 98.
 Northcote, near Honitou, I. ccxxix ; II. 231.
 Northesk, water of, I. clxxviii, clxxix.
 Northumberland House, I. 197.
 Norway, I. xlv ; II. 6, 504, 506, 507.
 Nova Scotia, I. liv, lv ; II. 247, 255.
 — baronies of, I. liv, lv.
 Nunburg (Nimburg), II. 405, 409.

 OCHIERIN, croft of, II. 319.
 Ochertyre, I. ccxxxi ; II. 257.
 Offaly, barony of, II. 463.
 Ord, I. liii.
 Orkney Islands (Orcaes), I. clx, cclx ; II. 398, 426, 482, 505, 509, 512.
 Ormond, hill of, I. preface iii.
 Ostend, siege of, II. 24.
 Ottendorf, II. 399.
 Ouchterneid, lands of, I. xxx, xlviii, 153 ; II. 425, 436.
 Outcruk, land of, II. 335.
 Owsye (Ousie), lands of, II. 333.
 — mill of, II. 461.
 Oxford (Oxfourd, Oxon.), I. 81, 100, 104 ; II. 421.
 — university of, I. 82 ; II. 420.

 PALATINATE, the, II. 402.
 Paris, I. xx, xxii, lxxv ; II. 163, 379.
 Park, I. cxiii ; II. 439.
 Parkhill, II. 321.
 Peebles, county of, I. cxlv.
 Peelbrayehope, II. 276.
 Peenouish. *Vide* Ben Wyvis.
 Peffery, bridge upon, II. 325, 345.
 — water of, II. 327.
 Pentland Firth, I. clx.
 Perimbancum, I. celi.
 Perth, I. ccxv, ccxxiii, ccxxviii, ccxxxvii, ccxxxviii ; II. 70, 160, 167, 191, 380-389, 482.
 — shire, I. xvi, lxiv, ccxxiii, ccxxxi, 44, 45, 222.
 Phaneallan, I. 74.
 Pilsen, II. 402.
 Pinkie (Pynky) House, II. 381.
 — battle of, II. 490, 492.
 — teinds of, I. 120, 121.
 Pirna, II. 410, 411.
 Pitcalnie, I. preface iii.
 Pitsligo, I. 97.
 Pittonarchie, lands of, II. 459.
 Placendal, II. 83.
 Plaids, farm of, II. 460.
 Planian, II. 404, 405.
 Pluscarden, II. 503.
 Plymouth, I. ccl.
 Polglas (Polam Dunan), township of, II. 441.
 Pollane, lands of, II. 321.
 Pollo, Wester, II. 425.
 Polmaise (Polmese), I. ccxvi, ccxxxix ; II. 390, 391, 395.
 Pomerania, I. ccxlv ; II. 411.
 Pondicherry, I. ccliii, ccliv.
 Port Dispeer, or Helchin, II. 24.
 Poonamalee, I. cclii, ccliii.
 Port a' Chaisteil, II. 426.
 Port Darien, I. 135.
 Portland Castle, I. cvi.

- Portmahomack, town of, or Castlehaven, II. 126, 426, 427, 429.
- Porto Novo, India, I. cchii.
- Portree, I. 27.
- Portsmouth, I. ccl.
- Portugal, I. 246.
- Potsdam, II. 241.
- Prague, II. 399-404, 406, 407.
- Preston, II. 159, 382.
- Prestonpans, battle of, I. ccxxviii; II. 381, 383.
- Prestounhall, I. lxiii, 200.
- QUEBEC, II. 247, 250, 252.
- battle of, II. 247.
- Queensferry, II. 455.
- RADBECK, II. 411.
- Raddiries, the two, II. 499.
- Ramillies, battle of, II. 24.
- Rarethe, Wester, village of, II. 335, 336.
- Rasay, superiority of, I. xxxii; II. 502.
- Reaeland, II. 509.
- Redcastle, I. preface ii, iii; II. 438.
- Redhead, I. clxvi, clxvii.
- Reichenberg, II. 399.
- Renfrewshire, I. xiv.
- Revel, II. 6.
- Rheims, I. lxiv.
- Rhidorach, forest of, I. xxviii.
- Rhine, the, I. 100.
- Riga, II. 6.
- Rippon, I. cevi.
- Rochester, II. 6.
- Rogart, in Sutherland, II. 442.
- Rome, I. lxxvi; II. 38.
- Rosemarkie (Rosmarakyn), altarage of, II. 316.
- lands of, II. 499.
- mill of, II. 499.
- parish of, II. 460, 461.
- lands of Fortrose in the parish of, II. 460.
- garbal teinds of, II. 315, 438.
- Roseneath (Rosneth), II. 126.
- Ross, I. preface ii, x, xb, xbtii, xix, ix, x, xxiv-xxvii, xliii, xlvii-l, lvi, lxviii, c, cxl, cxlii, clx, clxxiii, cxcvi, cci-ciii, ccxi, ccxvii, ccxix, ccxxvii-ccxxix, ccxxxviii, ccxli, ccxlv, celvi, 12, 13, 17, 65, 276, 278, 305, 306; II. 89, 99, 101, 126, 132, 145, 152, 153, 172, 181, 202, 203, 210, 255, 396, 423, 425, 432, 458, 470, 471, 475, 478, 490.
- archdeanery of, II. 438.
- bishop-lands of, II. 499-502.
- cathedral of, II. 342, 344, 438.
- church, prebends, etc., of, II. 315-317, 438.
- crown victual in, I. 307.
- deanery, chantry, chancery, and treasury of, II. 438.
- dukedom of, I. preface iii; II. 343.
- earldom of, I. preface ii, iii, ix, xix, xxiv, xxvii-xxix, cxxxiv, clxii; II. 142, 318, 320, 323, 331, 428, 436, 441, 449, 469, 471, 473-475, 481, 490, 492, 502.
- forest of the Earls of, II. 429.
- mair's fee of the earldom of, II. 425, 429.
- lands of, II. 343.
- lands in, annexed to Cromartie, II. 458-461.
- meeting houses in, II. 103.
- rent in, I. 305-307.
- sheriffdom of, I. 63, 65; II. 320, 323.
- Braes of, II. 466, 473, 478.
- Chanonry of, I. xx, lvi; II. 436, 440.
- Easter, lands in, I. cciii, cciv; II. 145, 146, 460.
- Wester, II. 145, 461.
- Rossdhn, castle of, I. lxxiv.
- Rosskreen (Roskwyn), garbal teinds of, II. 316.
- Rothsay, I. 272.
- Rotterdam, I. 99; II. 421.
- the great church in, I. 99.
- Erasmus statue in, I. 99.
- Rouen, II. 6.

- Rowynis, II. 321.
 Roxburgh, siege of, II. 472.
 Royston (now Caroline Park), I. preface xbi, xx, 48, 94, 192, 285, 306, 307, 312; II. 1, 10, 14, 31, 34, 131, 268, 276, 418, 424, 451-457.
 — barony of, I. cxliv; II. 421, 422, 451-457.
 — estate of, I. ccxlv.
 — surplus price of, II. 422.
 Rudha'n Dunan, II. 441.
 Rusin, II. 407, 408.
 Rustol, Isle of, II. 461.
 Ruthen, fort at, II. 395, 502.
- ST. ANDREWS, I. 11; II. 98, 301, 311.
 — University of, I. lxviii.
 — Order of, I. 109.
 St. Germain's, I. 215.
 St. Malo, II. 380.
 St. Martins, lands of Wester, II. 459.
 — ferry of, II. 459.
 St. Ninian's, II. 395.
 St. Thomas's Mount, East Indies, I. ccliii.
 Salisbury, church of, II. 316.
 Sanquhar, I. 91, 106.
 Sanside, lands of, I. 177.
 Sardinia, II. 74.
 Saxony, II. 399, 403, 406, 408, 410, 411.
 Scarde, II. 337.
 Seatwell, Meikle, II. 491.
 Schabbay, lands of, I. xlvi.
 Scheld, II. 72, 76.
 Scherale, lands of, II. 327.
 Sebiscowitz, camp of, II. 399, 400.
 Seilutt, II. 318, 436.
 Seafeld. *Vide* Wester Tarbat.
 Seafort (Shi-foirt), Loch, I. xx.
 Seaforth estates, I. ix, x, xiv, xix, xxi, xxiii.
 Seaton, II. 159.
 Seltz, II. 400.
 Senegal, I. ccl, ccli.
 Seringapatam, I. cclii.
- Sheerness, I. 99.
 Sheriffhall, coals of, II. 124.
 Shetland, II. 426.
 Silesia, II. 399, 409.
 Siskaberg, II. 402, 404.
 Skelbo, I. ccxix, ccxx; II. 397.
 Skibo, I. preface xix.
 — estate of, I. lxxii.
 Skye, Isle of, I. xxxii, xxxiv, ccxviii, cclxiii; II. 143, 397, 508, 509, 510.
 Sleat, I. xxiv, xxxii, 27; II. 491.
 Smeaton, II. 128.
 Smyth (Cristine), lands of, II. 335.
 Southwark, borough of, II. 217.
 — jail in, I. ccxli.
 Spain, II. 6, 33, 62, 117.
 Spens (Alexander), land of, II. 336.
 Spey (Spye), the, I. clx, clxi, ccxix; II. 70, 212, 386, 395, 476.
 Stair, I. 93.
 Stamford, II. 22.
 Stamford Bridge, battle of, II. 504, 505.
 Stirling, I. lxxix, cx, ccxv, ccxvi, cccxxviii, ccl, 33, 38, 42, 46; II. 191, 343, 383, 389, 496.
 — camp, I. lxx; II. 168.
 — castle, I. 236; II. 191.
 — siege of, II. 386-389, 391, 393-395.
 Stockholm, I. cclxiii; II. 6, 233, 240, 254.
 Stornoway, I. xxxviii, xxxix; II. 441, 513.
 — castle of, II. 511-513.
 Stradonitz, II. 400.
 Straglass, II. 172.
 Strathbogie, I. ccxvii; II. 192, 395, 503.
 Strathcarron, II. 467, 468.
 Strathcannard, II. 441.
 — Achmolmory, near Langwell, in, II. 441.
 — water of Ceannard, in, II. 442.
 Strathconan, I. x, xxxiii; II. 441, 478, 481, 490, 492, 512.
 Stratherrick, lake in, I. clxxxviii.
 Strathfillan, I. 44.

Strathgarve, I. x, xix, 306 ; II. 478.
 Strathnavern (Strathnaver), I. xxix ; II. 398, 475.
 Strathokell, II. 467, 468.
 Strathpeffer (Strapeffer), I. preface xb, x, xxvii, xlii, cccxix, 128 ; II. 173, 436-439, 461, 477, 485.
 — barony of, II. 220, 461.
 — Clach an Tiompain, in, II. 439.
 — Spa of, II. 438, 439.
 Strathvaich, Tollimnic, a farm in, II. 461.
 Strichen, I. li.
 Strom Castle, II. 504.
 Sudbrooke, in Surrey, II. 456.
 Suddy (Snthy), garbal teinds of, II. 316, 438.
 Sulowitz, II. 410.
 Summer Isles, II. 461.
 Surrey, county of, II. 217.
 Sutors (Snteres) of Cromarty, I. 67 ; II. 438.
 Sutherland, I. preface iii, xix, lxxii, cexiii, cexvii, ccxviii, cexix, cexxi, cccxxviii, cexli, cclxviii, 52 ; II. 185, 192, 197, 198, 211, 214, 218, 379, 396-398, 425, 468, 475.
 — earldom of, I. xxvii, xxviii.
 Sweden, I. cccxvi ; II. 239, 240, 254, 255.
 TAAGE, three merk land of, II. 490.
 Tahiti (Otaheite), I. ccli.
 Tain (Tayne, Thayn, formerly called St. Duthac), I. preface xbiit, cccvii-ccxix, cclvi, 55, 278 ; II. 74, 192, 199, 204, 206, 207, 209, 212, 332, 334, 339, 376, 377, 396, 397, 425, 460, 461, 465.
 — collegiate church of St. Duthac in, II. 324.
 — garbal teinds of, II. 316.
 — King's Canseway at, I. preface ii.
 — shrine of St. Duthac at, I. preface ii.
 Tannera, Isle of, II. 461.
 Tantallon, II. 471.

Tarbat (Tharberth, Terbart).
 — Housie, Castle, or New Tarbat, I. preface xi, xii, xviii, clxxiii, clxxvi, clxxvii, clxxxviii, cci, ccv, cex, cexvii, cccxiii, cccxxvii-ccxxx, cccxxii, cccxxvii, cclviii, cclxii, 55, 56, 68, 69, 150, 286 ; II. 148, 187, 189, 214, 219-221, 230, 234, 238, 287, 288, 293, 296-300, 304, 311, 323, 396, 397, 425, 426, 431, 432-435, 461.
Vide also Milntoun.
 — lands, barony, and regality of, I. preface xb, xxv, xxix, xlvii, xlviii, lxiv ; II. 367-377, 425-436, 441, 458-461.
 — barony of, in Canada, I. lv.
 — Easter, lands and barony of, I. xlvii, xlviii, cciv, cclvii ; II. 425, 426, 428, 429, 460.
 — tower and fortalice of Easter, I. 38 ; II. 425.
 — Wester (Seafield), I. preface xviii, xlviii ; II. 429.
 — Dunbar's chapel, II. 428.
 — kirk of, I. lix ; II. 323, 428.
 — parish of, I. preface xviii, xlviii, l, lvi, lxvii, cxiii, 286 ; II. 427, 460.
 — garbal teinds of the church of, II. 316, 438.
 — Ness, I. cciii ; II. 145, 426.
 — fishings, in, I. cciii.
 — shire, I. 37.
 Tarrell (Terrell), lands of, II. 322-324, 435.
 — Meikle, lands and barony of, I. xlvii, lix, cxli, cclvii ; II. 425-428, 460.
 — manor place of, I. l ; II. 425.
 — tithes of, I. lix.
 Tarvey, I. l.
 Tay, I. 212 ; II. 62.
 Taymonth, I. 129, 201.
 Terey, Isle of, I. xlv.
 Terregles, gardens at, I. cccxxii.
 Tenteh Brod, II. 402, 404.
 Tharnedale (Tarradale), garbal teinds of, II. 316, 438.

- Thistleworth, II. 91, 93.
 Thurso, I. ccxix, cccxxvi, cexl ; II. 398.
 Tober ni Kean, II. 486.
 Tollie and Kinnard, chaplain lands of, II. 495.
 Torresay, lands of, I. xlv.
 Torridon, I. cciii ; II. 148, 286, 287.
 Torwood, I. ccxvi, cccxxix ; II. 391, 394, 395, 483.
 Tournay (Turney), II. 24, 394.
 — citadel of, II. 94.
 Tronternes, I. xxxii ; II. 512.
 Tuchomieritz, II. 400.
 Tuileries, the, II. 452.
 Tuitintavat, II. 511.
 Tulloch, merk land of, II. 429.
 Tullochard, I. xxiii.
 Tunbridge, II. 62.
 Tursko, II. 400.
 Tympanmill, I. xlviii ; II. 436.
- UIST, I. 30.
 Ullapool (Wllabill), town and manor place of, II. 441, 461.
 — river of, or Ceannchrúinn, II. 442.
 Ulster, I. liv.
 Uppat, I. ccxlviii.
 Urquhart (Vrcharde), garhal teinds of, II. 316.
 Ury, I. 32.
 Ussie (Wsie), Meikle and Little, I. xxx ; II. 436.
 — Loch, II. 438, 439.
 Utrecht, I. 98, 100 ; II. 421.
 — university of, II. 420.
- VALENCIENS (Valenciennes) and Doway (Douay), lines between, II. 94.
 Vaternes. *Vide* Wattirnes.
 Vellore, I. ccliii.
 "Vengeance," H.M.S., I. ccli.
 Venice, II. 75.
- Versailles, II. 379.
 "Vesuvius," H.M.S., I. ccli.
 Vienna (Vienne), I. 108.
 Viterho, II. 317.
- WALLAJABAD STATION, East Indies, I. cclvi.
 Wandewash, East Indies, I. ccliii.
 Wartzburg, II. 402.
 Warriston, I. xxii.
 Wattirnes (Vaternes), lands of, I. xxix ; II. 441, 509-511.
 Weissenberg, II. 400, 403, 404, 407, 408, 410, 411.
 — convent of St. Margaret at, II. 407.
 — the Strawhans at, II. 403, 407.
 Welislavin, II. 400.
 Welmina, II. 409.
 Welwari, II. 400, 408.
 Wemyss, I. cxxix, clxxiv-clxxix, 279 ; II. 94, 150, 268.
 — hural place of, I. cxlix, cli, clxxiv-clxxxix.
 — castle of, I. cxliii, cli.
 — Easter, I. clxxviii.
 — church of, I. clxxix.
 Westminster, I. lxxxvi, cclvi, 71 ; II. 82, 88, 160, 182, 375.
 — St. Margaret's at, I. cxlix.
 — Oldman's Coffee-house at, II. 74.
 — the Olive Tree, Charing Cross, I. 166.
 Westphalia, II. 384.
 Whitehall, I. lxxxv, xc, xeviii, ciii, ex-cxlii, cxxxiii, cxlix, cli, ccxlix, 43, 157, 167, 260, 269 ; II. 19, 63, 66, 155, 161, 175, 217, 225, 226, 349, 351, 356, 425.
 Whitehaven, II. 148.
 Whittingham, II. 160.
 Whytkirk, II. 499.
 Wick, I. cexl ; II. 77, 398.
 Wicklow, county of, I. xxi.
 Wilk Croft, II. 321.
 Wilkhaven, fishings in, I. cciii ; II. 426.
 Winchester, I. cxxxiv, 42, 105.

- | | |
|---|------------------------------------|
| Windsor, I. 239-241, 243, 246, 250, 251, 253-257; II. 6, 93, 282. | Wyvis, Ben. <i>Vide</i> Ben Wyvis. |
| Wisherad, II. 402. | YESTER, I. cclxi; II. 178. |
| Woodhead, lands of, II. 499. | York, I. 130. |
| Woolwich, I. cexxiii; II. 248. | Ypres, II. 24. |
| Worcester, battle of, I. lxxii, cvi. | ZASAWA, II. 401. |
| Wotton, II. 114. | Zittau, II. 410. |
| Wurtzburg, II. 402. | |

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